TITLE 22 - CH2.

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

Myrtle Cullinan
(Signature)

Director
(Title)

1/16/50
(Date)

105-20 LIMITATIONS ON AGE 105-20
(Rev.) OAS, ANB, APSB, ~~ANC~~ (a)

The age of the applicant is a factor in determining his eligibility in all aids.

An applicant for OAS is not eligible for aid until he has ~~completed his 64th year and~~ reached his 65th birthday. Aid may not be granted prior to the day and month as well as the year when the age of 65 is reached. (W&IC 2140, 2160) (b)

In ANB and APSB, aid may not be granted until the applicant has completed his 15th year and reached his 16th birthday. Aid may not be granted prior to the day and month as well as the year when the age of 16 has been attained. (W&IC 3040, 3041, 3075, 3430, 3431, 3460)

~~In ANC, a child is eligible until the end of the month in which his 18th birthday occurs except when his birthday falls on the first day of the month. In this instance, aid is only payable through the day preceding the 18th birthday. (W&IC 1522, 1552.3, 1560)~~ (a)

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950

At 11:20 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

(a) To be presented in ANC material prior to March 1, 1949.
(b) Clarification

The fact that the applicant has attained the age of 65 must be established in OAS. It is not necessary to establish his exact age. ~~--If the exact birth date can not be determined but the year of birth is verified, age 65 is not conclusively established until the 31st day of December of that year,~~ except when the applicant reached the age of 65 within the current year (see Sec. 107-20). (W&IC 2140, 2160)

A record of the age, or birth date, of an individual is usually made at different periods in his life and for varying purposes. In general, no one record, with the possible exception of a birth certificate recorded approximately at the time of the applicant's birth, conclusively establishes beyond doubt an individual's exact age.

The county must reconcile any conflicts which appear in various pieces of evidence offered to establish age. In cases of conflicting evidence, a preponderance of evidence is accepted.

The decision as to age eligibility is not based alone upon the number of pieces of evidence which support or refute the applicant's contention that he has reached the required age. Rather, the relative merit of the various pieces of evidence must be considered in order to determine which evidence has greater validity. A single document such as a baptismal certificate may outweigh several other pieces of evidence. On the other hand, two or three items which corroborate each other may be more conclusive than a single piece of evidence of intrinsically greater validity which is not supported by any other data. When two or more pieces of evidence of approximately equal value conflict as to the month, day and year of birth, but one is supported by the applicant's present sworn statement of his birth date, the evidence which agrees with his statement shall be used. Often it is necessary to secure additional evidence and to evaluate this in the light of evidence already available. (b)

In general, when conflicting evidence is presented, the older evidence is preferred, as there is less likelihood that age was misstated in order to qualify for aid. Greater weight is, in general, given to documentary evidence of an official or semi-official character than to evidence from personal records.

When there is conflict between the applicant's sworn statement and competent evidence, decision must rest upon the facts as established by the evidence. (W&IC ~~1560~~, 2140, ~~3075, 3460~~) (a)

(a) Superseded by Department Bulletin 373
(b) Clarification

If the year of birth is established, but the exact birth date can not be determined, the age of 65 in OAS, and 16 years in ANB and APSB is not conclusively proven until the thirty-first day of December of that year. In ANC, the birth date is assumed to be the first day of the year.

The different methods of computing age are necessitated by differences in the programs. Age 65 in OAS and age 16 in ANB must be attained before aid is granted. In ANC, aid must be discontinued when age 18 is reached. Thus in OAS, ANB and APSB, the minimum age is assumed to have been reached on the last day of the year; whereas, in ANC, it is assumed that age of 18 was reached on the first day of the year.

Some documents establish that a certain age had been reached when the document was issued.

Example A: A marriage certificate shows that an applicant for OAS was 24 years old when he married on September 10, 1899. It may be assumed that he had attained the age of 65 on September 10, 1940.

Example B: An insurance policy dated September 10, 1894, stated the applicant would be 21 on his next birthday. It is assumed he was 20 when the policy was issued. The insurance policy established that the age of 65 was attained on September 10, 1939.

Example C: On August 1, 1940, an applicant for ANC presented evidence showing the child was born in December, 1934; this would establish the birth date as December 1, 1934. Where the month of birth is unknown, January 1st of the year of birth is considered the birth date.

In ANB and APSB, verification of age is necessary only when the applicant is less than 21 years of age. (W&IG 1560, 2140, 3075, 3460)

If the applicant's sworn statement of the birth date on the application indicates age 66 or over and the year of birth recorded in the evidence establishes age 66 or over, the month and day of birth need not be established.

In all other cases age is established as follows:

1. If evidence to establish the specific birth date is not available, the applicant's sworn statement of the month and day of birth is accepted provided there is evidence which either establishes the year of birth or supports the applicant's statement of the year of birth.

   Example 1: The applicant gave his birth date as 8/19/84 when the application was signed. The only available age evidence is a marriage certificate dated 4/20/10 giving age as 25. A person born in August 1884 would have been 25 in April 1910, but would have reached the 26th birthday in August 1910 (indicating 1884 as the birth year). Thus there is no conflict between the evidence and the applicant's statement that he was born in 1884 and the verified birth date is considered to be 8/19/84.

(Section Continued on Next Page)

(a) ANB, APSB, and ANC deleted from section.
ANB and APSB covered more clearly in Investigation and Decision Chapter, in ANC documentary evidence not required.

2. If the evidence indicates the birth year was earlier than shown by the applicant's statement on the signed application, the birth date shall be established by the statement on the application except when positive evidence such as a birth or baptismal record recorded when the applicant was a child refutes the applicant's present statement of his birth date.

Example 2: The birth date as stated on the application is 2/15/85. An insurance policy issued 4/20/20 shows age 36. This would indicate that the applicant was born prior to 2/15/85 and is older than he now claims. He would not be considered to reach his 65th birthday until 2/15/50.

3. If the evidence indicates the birth year was later than shown by the applicant's statement on the signed application, the birth year shall be established by the evidence. The applicant's statement on his application of the month and day of birth shall be accepted unless there is positive evidence to refute it.

Example 3: The birth date as stated on the application is 3/29/83. A marriage record dated 4/2/08 gives age as 23 which indicates the birth year was not later than 1885. No evidence refutes the applicant's statement that the month and day of birth was 3/29 and since the evidence establishes 1885 as the year of birth the verified birth date is considered as 3/29/85. He would not reach his 65th birthday until 3/29/50. (a)

4. If the applicant does not know his birth date but it is possible to secure verification of his year of birth, July 1st shall be assumed to be the month and day of birth unless the evidence used to prove the year of birth indicates the month and day of birth were prior to July 1 in which case the month and day as established by the evidence shall be used.

Example 4: The applicant believes he is over 65 but does not know his birth date. A marriage license issued 10/21/09 shows age 24 and establishes the birth year as not later than 1885. Since the applicant claims not to know his birth date it is assumed to be 7/1/85. (Had the marriage license showing age 24 been issued on 4/11/09 the birth date would be considered to be 4/11/85.) (W&IC 2140)

(a) ANB, APSB, and ANC being deleted from section.
ANB and APSB covered more clearly in Investigation and Decision Chapter, in ANC documentary evidence not required.

Ownership of real property ~~must~~ shall be verified ~~in order~~ to establish that property holdings are within the limitations established in the code for the particular category of aid. the statement of the applicant is acceptable in the absence of conflicting evidence. (See Sec. 131-05, Ownership of Real Property.)

~~Ownership of property is revealed by~~ If a search of current property rolls is necessary. ~~(See Sec. 135-40 Real Property Search.) There will be occasions in which~~ such search ~~of property rolls will~~ may indicate ownership of property which does not belong to the applicant. In the absence of conflicting information, an affidavit of the applicant stating that he is not the owner of the property in question is acceptable. Proof that he is not the owner is necessary in cases of conflicting information. The affidavit of an applicant regarding recent disposal of property is not in itself proof of eligibility. It is subject to verification. (W&IC ~~1560~~, 2140, 3075, 3460) (b) (a)

(a) ANC covered in Department Bulletin No. 386.
(b) Elimination of mandatory routine property search and clarification.

Real property located either within or without the State and belonging to a separated spouse shall not be considered in determining eligibility for OAS ~~when~~ if all the following requirements are met:

1. The applicant is deprived of all legal interest in the property by a written property settlement entered into prior to the date of application for OAS.

2. The recipient and spouse have been living separate and apart continuously since the date of the property settlement.

~~When~~ If the applicant claims to have no legal right to the property of a separated spouse, the terms of any existing property settlement and the date of such settlement shall be determined. ~~When the property concerned meets all the above requirements it shall not be considered in determining eligibility.~~ (a)
(AGO NS 5202) ~~W&IC 2140)~~

In the absence of any legal property settlement, real property located in another state and belonging to a spouse who has not been living with the applicant for at least five years is not considered in determining eligibility in OAS ~~when~~ if all the following requirements have been met:

1. Such real property is located in another state.

2. It is the property of a spouse who is not a legal resident of California.

3. It is the property of a spouse with whom the applicant has not been living for at least five years preceding the application for aid. (It is the presumption that the applicant has not been living with the spouse within the last five years if they have not been members of the same household within that period.)

4. The applicant or the recipient has no present existing legal interest in the property. ~~(W&IC 2165A)~~

The property laws of the state in which such property is located govern in determining that the applicant does or does not have an interest in it. ~~When~~ If the applicant claims to have no interest in real property of a nonresident spouse from whom he has been separated for five years, the county shall determine whether the applicant has a present legal interest in such property.

Determination of an applicant's interest in property belonging to a separated spouse is not necessary ~~when~~ if the county assessed valuation of such property is known, and ~~when~~ its value, together with all real property owned, does not exceed ~~$3,000~~ $3,500 after encumbrances thereon have been deducted.
(W&IC 2140, 2165, 2165A; AGO NS5202) (b)

(a) Eliminate redundancy.
(b) To bring into conformity with W&IC 2165.

The current county assessed value of real property shall be taken into account in determining eligibility, i.e., the value of real property as entered on the records of the assessor of the county in which the property is located. The actual value of real property or its salability is not a factor to be considered in determining assessed valuation for eligibility purposes. (W&IC 1560, 2140, 3075, 3460; AGO NS308)

In OAS, the assessed value of combined real property of applicant and spouse, less all encumbrances of record on such property shall not exceed $3,500. For exception see Sec. 131-18, Ownership of Real Property by Separated Spouse. (W&IC 2165)

~~In ANC, the assessed value of combined real property of child or children and their parent or parents shall not exceed $3,000 less all encumbrance of record on such property. (W&IC 1520)~~ (a)

In ANB and APSB aid shall not be granted any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances of record on such property, exceeds $3,500. (W&IC 3047, 3447)

In ANB, aid shall not be granted to any person who together with his spouse owns real property the county assessed valuation of which, less all encumbrances of record, exceeds $3500. If the spouse of the applicant or recipient owns separate real property, that ownership shall not affect the eligibility of the applicant for, or recipient of, ANB. (b)

In California, county assessed value is presumed to be fifty per cent of the appraised value of real property.

(a) ANC policy covered in Dept. Bull. No. 386
(b) Incorporation of new policy in Dept. Bull. No. 390.

(a)

~~In OAS, the assessed value of all real property to an applicant and his spouse and in ANC to a child or children and their parent or parents, shall be ascertained. (For exception in OAS, see Sec. 131-18, Ownership of Real Property by Separated Spouse.) In ANB and APSB only the assessed value of property belonging to the applicant as separate property, or as his equal share of community property is considered. In ANC reference below to "husband" "wife" or "couple" refers only to the natural or adoptive parents of children for whom ANC is requested.~~ (b) (a)

The county assessed value of all real property owned by the applicant and all encumbrances thereon of record shall be verified.

The county assessed value of all real property owned by the spouse of the applicant and all encumbrances thereon of record shall also be verified if it is a factor affecting the eligibility of the applicant. (See Sec. 132-00, Limitation on Assessed Value of Real Property).

If the applicant states that no real property is owned either by himself or by a spouse whose property ownership would affect his eligibility, no further investigation is necessary with respect to real property currently owned, unless conflicting information arises.

If the applicant states that real property is owned either by himself or by a spouse whose property ownership would affect his eligibility, an investigation shall be made. If a tax statement is available, it may be used to determine the assessed value of the real property. If a tax statement is not available, a review of the records of the county assessor, tax collector, or recorder shall be made to determine the amount of real property holdings. (c)

If inconsistent or conflicting information arises, a property search shall be made in the locality in which the property is located to determine ownership of property and, if property is owned, the county assessed valuation of property.

If there is a question regarding ownership of, or assessed valuation of, property in another county within the state and tax statements are not available, the county may request a property search by correspondence with the county welfare department in the county in which the property is located. ~~(Questions regarding valuation of property located outside the state may be cleared with the county assessor, or other proper public official, or the county welfare department in the locality in which the property is located.)~~ If property is located outside the state, see secs. 132-15, Assessed Value of Real Property Outside of State, and Sec. 132-20, Real Property Outside U. S.

The following are examples of real property ownership in which the assessed value shall be considered.

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(a) ANC policy covered in Dept. Bulletin No. 386.
(b) Clarification, in ANB, incorporation of new policy in Dept. Bull. No. 390.
(c) Clarification and new policy to accept applicant's statement.

1. Separate property of a single person
2. Separate property of husband or wife
3. Separate property of a separated couple (in OAS ~~and ANC~~); for exception ~~in OAS~~, see Sec. 131-18 (a)
4. Community property of a couple
5. Community property of a separate couple
6. Property held in joint tenancy
7. Property held in tenancy in common
8. An interest in an undistributed estate when the property is in fact available prior to distribution
9. Property purchased or sold under contract of sale (title not passing)
10. Property purchased under mortgate, deed of trust, etc. (W&IC ~~1520, 1560,~~ 2140, 2165, 3047, 3075, 3460, 3447; AGO NS466, NS704, NS778, NS1715, NS2387, NS5202) (a)
11. In ANB and APSB property involuntarily converted into personal property. The proceeds from such involuntary conversion shall be considered real property for a period of one year from their receipt. (See Secs. 141-00, Types of Personal Property, 146-00, Conversion of Property) (W&IC 3047.3, 3447.3)

Determination of eligibility with respect to real property includes not only the determination of property currently owned, but also the determination of transfer of property. (See Sec. 135-60, Investigation Required of Transfer of Property.) (c)

(a) ANC policy covered in Dept. Bulletin No. 386.
(c) Clarification and new policy to accept applicant's statement.

(a)

No person is eligible for aid if a voluntary transfer or assignment of real property has been made for the purpose of qualifying for aid. If title passed by delivery of the deed ~~prior to the beginning date of the required property search period~~ more than two years preceding the date of application, it is the presumption, which may be refuted, that the transfer of title was made in good faith and not for the purpose of qualifying for aid. (See Sec~~s. 135-40, Real Property Search, and~~ 135-60, Investigation Required of Transfer of Property.) (b)

A transfer or assignment of real property of a value greater than the maximum set by law, or which reduces the amount of the property holdings to an amount within the maximum, is deemed to render the applicant ineligible unless there is an affirmative showing that the transfer or assignment was not made for the purpose of qualifying for aid. There is the presumption that such a transfer was made for the purpose of qualifying for aid, which presumption may be refuted only by factual evidence of intent which establishes beyond a reasonable doubt that the transfer or assignment was not in fact made for the purpose of qualifying for aid. (See Sec. 135-70, Determination of Reason for Voluntary Transfer of Property.)

A transfer or assignment of real property of a value less than the maximum set by law, or which does not reduce the property holdings to an amount within the maximum, shall not render a person ineligible unless there is an affirmative showing that the transfer or assignment was made for the purpose of qualifying for aid. There is the presumption that such a transfer was not made for the purpose of qualifying for aid, which presumption may be refuted only by factual evidence of intent, which establishes beyond a reasonable doubt that the transfer was in fact made for the purpose of qualifying for aid.

A transfer or assignment of income producing real property shall be deemed to render a person ineligible for aid if the net income from such property exceeds the maximum grant provided by law, unless there is an affirmative showing that the transfer or assignment of such income property was not intended by the grantor to qualify him for a greater amount of aid than that to which he would otherwise be entitled.

A transfer or assignment of income producing real property of a value less than the maximum set by law shall not render a person ineligible for aid, provided the net income from such property does not exceed the maximum grant provided by the law, unless there is an affirmative showing that the transfer or assignment of such income property was intended by the grantor to qualify him for a greater amount of aid than that to which he would otherwise be entitled.

In arriving at the net income from property which is transferred or assigned the following shall be taken into consideration:

Interest payments
Taxes
Assessments
Insurance
Upkeep
All other necessary charges and expenses of every kind

It is the responsibility of the applicant, in so far as he is able, to give information to assist the county in determining whether a transfer of property

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of a value greater than the maximum set by law or a transfer which reduced the value of remaining property within the maximum was for the purpose of qualifying for aid.

Transfers which have not heretofore come to attention but which are revealed through reinvestigation or otherwise and which occurred in the past, should be evaluated in accordance with this policy. Thus this policy revision may be retroactive in its application.

Unless there is evidence that the contract is not enforceable, a transfer of real property, subject to the condition that the donee will provide full support for the donor for the remainder of his life, renders the donor ineligible as he has entered into a contract for life care. ~~When~~ If an enforceable contract of this nature provides for less than full support, the amount provided shall be considered income. (W&IC ~~1506, 1560~~, 2007.5, 2140, 2160g, 3075, 3460; 20 Cal (2d) 865) (a)

(a) ANC policy covered in Dept. Bull. No. 386
(b) Elimination of the reference to the mandatory routine property search.

The assessed valuation of all real property shall be verified from the current records of the county assessor or tax collector. This applies to real property located outside the limits of the county in which application is made as well as to property located in the county. (For exceptions to this entire section, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse, and Sec. 132-20, Assessed Value of Real Property Outside U. S. (b)

A property search covering a two-year period prior to application is required in determining eligibility. It serves a double purpose as it established the county assessed value of property currently owned and may reveal transfer or assignment of real property. (See Sec. 135-00, Transfer of Real Property to Qualify for Aid.)

The two-year search for the purpose of ascertaining whether any property transfer has been made requires a review of records of the county assessor, tax collector, or recorder since July 1, 1939. This date is advanced automatically one year on July 1 of each succeeding year. (c)

The property search shall be made in the name of the applicant and the applicant's spouse in OAS, ANB, and APSB unless there is proof of the spouse's death, of marriage annulment, or of final decree of divorce. In such event search need be made in applicant's name only. When the couple is separated but a final decree of divorce has not been obtained, the property search in the spouse's name shall be made in the county of application and such other counties wherein the spouse reasonably might be expected to own property.

In ANC the names and localities in which property searches are made will be determined by the facts in each case as revealed by the investigation. Such investigation shall include a follow-up of any statements or information obtained from the applicant regarding the possibility of property ownership through the existence of an estate. If the parent or parents are living, a search always shall be made in their names in the county of application and in any other localities where it is reasonable to believe that property may be owned or may have been owned within recent years. A search in the names of children also shall be made if the investigation reveals any probability of property ownership in their names. When the children are whole orphans, the property search shall be made in the names of the children in the localities suggested by the investigation. (a)

In general, when the applicant in OAS, ANB, or APSB declares that no transfer of property has been made, and when the property listed for the first-year period of the search appears on the rolls for the second year, it may be assumed that no transfer took place. This same assumption applies in ANC to the declaration of the applicant, parent, guardian, or person in loco parentis. (d) (a)

When property listed for the first-year period of the search does not appear on the rolls for the second year, review of the recorder's records is necessary: (1) if the property is assessed at over the maximum established by law, or (2) if the property which is not listed together with other property holdings, would be over the maximum established by law. The recorder's records reveal the terms of the transfer; i.e., for a consideration, as a gift for love and affection, with retention of life estate, etc. Contracts, mortgages, or deeds of trust which have been recorded are also shown on these records and these are important in determining eligibility regarding personal property holdings and income. (c) (d)

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The consideration stated in the deed is often nominal and not the true consideration. The exact amount of the consideration cannot be determined from the recorder's records, but the amount of revenue stamps attached to the instrument reveals the consideration within certain limits. A 55¢ revenue stamp (formerly 50¢) is attached for each $500 of the consideration; e.g., three revenue stamps would indicate a consideration of not more than $1500. (d)

There is the presumption that a transfer or assignment of property of a value less than the maximum set by law and which does not reduce the total remaining property holdings within the maximum was not made for the purpose of qualifying for aid. In view of this presumption, efforts to secure facts to refute it will not be a required part of the routine property investigation unless facts which otherwise come to attention show intent to qualify for aid or for a greater amount of aid than that to which the applicant would otherwise be entitled. The applicant's sworn statement shall be evidence of his intent. (See Sec. 230-45, Evaluation of Evidence.) (d)

A search of the assessor's and recorder's records for longer than a two-year period is necessary if information secured from the applicant or through other sources indicates that property may have been transferred for purpose of qualifying for aid. (c)

The facts regarding such a transfer must be established by investigation and the nature thereof will vary with the situation. (See Sec. 131-00, Determination of Ownership of Real Property.) (d)

Eligibility is not established in OAS, ANB and APSB if the assessed valuation of all real property in the county of application has not been determined or the two-year property search in the county of application has been requested but no report obtained. A search of the rolls for the current year only does not establish that there was no transfer or assignment of property for the purpose of qualifying for aid. (c)

When there is reason to believe that property may be owned or may have been owned within recent years in another county or state, the assessed valuation of such property shall be verified and a two-year property search shall be requested. Within California this may be done by correspondence with the county welfare department in the county in which the property is located, rather than through the office of the assessor, tax collector, or recorder. To verify the assessed valuation of property located outside the State, correspondence should be directed to the county assessor, or other proper public official, or to the county welfare department. (b) (&) (c)

When the assessed valuation of out-of-county property and the results of a two year property search are requested and a thirty-day follow-up brings no response, the granting of aid need not be delayed if the applicant or child/children for whom ANC is requested are otherwise eligible provided that: (e)

1. Investigation has revealed no information which suggests that a transfer of property has been made for purpose of qualifying for aid, and.

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[illegible]

[illegible]

[illegible]

2. Tax bills or receipts in possession of the applicant for the required two-year period reveal no change in real property holdings and establish the current assessed value of the property declared. (e)

The county shall, however, continue effort to secure a report of the assessed valuation and the two-year property search from the proper out-of-county officials.

(a) ANC policy covered in Department Bulletin No. 386
(b) Covered in Sec. 132-30 also considered for revision in this agenda
(c) Elimination of mandatory routine property search
(d) Covered in Sec. 135-60 also considered for revision in this agenda
(e) New policy to accept applicant's statement.

(a)

A complete investigation, including the reason for the transfer and the consideration received, shall be made for each transfer occurring after the beginning date of the required property search in which:

1. The value of the property transferred is greater than the maximum set by law;

2. The transfer reduced the value of the total remaining property within the maximum set by law;

(b)

The case record shall show full details of such investigation. Determination of the date of delivery of the deed is necessary when title to such property formerly recorded in the name of an applicant or recipient in OAS, ANB, and APSB, parent or parents and/or child or children in ANC, has been recorded in the name of another since the beginning date of the property search. As title passes with delivery of the deed, the important date is the date of delivery rather than the date of recordation.

When delivery of the deed is determined to have been made prior to the beginning date of the property search, it is presumed that the transfer irrespective of the assessed valuation of the property was not made for the purpose of qualifying for aid. When information is obtained tending to refute such presumption, investigation covering whatever period is involved is necessary.

When it is claimed that:

1. A transfer of property of a value greater than the maximum set by law, or

(c)

2. The transfer of property which reduced the value of the remaining property within the maximum set by law

ante-dated the property search period, responsibility rests with the applicant or recipient in so far as he is able to give information which will enable the county to determine when delivery of the deed was made, i.e., that title to such property passed to the grantee.

his statement shall be recorded in the case record, and

If the applicant states that no transfer of real property has been made during the two years preceding application, no further investigation with respect to transfer of real property is necessary, unless conflicting information arises.

(d)

If the applicant states that a transfer of real property has been made during the two years prior to application, or conflicting information regarding transfer of real property arises, a complete investigation shall be made in order to determine whether a transfer was made in order to qualify for aid. The factors which are to be taken into consideration, listed in Sec. 135-70, shall be determined. This information may be secured from documents in the applicant's possession. If the applicant cannot produce such documents or there is conflicting information, a search shall be made of the records of county assessor, tax collector, or recorder.

(b)

The recorder's records show the terms of the transfer, i.e., for a consideration, as a gift for love and affection, with retention of life estate, etc. Contracts, mortgages, or deeds of trust which have been recorded are also shown on these records.

(e)

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A record of the transaction, including the reason for the transfer and the consideration received, shall be made for each transfer occurring after the beginning date of the required property search if either:

1. The value of the property transferred is greater than the maximum set by law; or

2. The transfer reduced the value of the total remaining property within the maximum set by law.

The case record shall show the details of each transfer, including information on the date of delivery of the deed [illegible] to such property. [illegible] in the name of an applicant or recipient [illegible] has been recorded in the name of another since the beginning date of the property search, [illegible] the date of delivery rather than the date of recordation.

The delivery of the deed is the act [illegible] the beginning date of the property search, it is presumed that the transfer [illegible] of the [illegible] valuation of the property was not made for the purpose of [illegible]. This information is obtained [illegible] assumption, [illegible].

When it is claimed that:

1. A transfer of property of a value greater than the maximum set by law, or

2. The transfer of property which reduced the value of the remaining property within the maximum set by law

[illegible] the property was sold, [illegible] responsibility rests with the applicant or recipient to [illegible] information which will enable the county to determine when delivery of the deed was made, [illegible] property [illegible] to the grantee.

If the applicant states that no transfer of real property has been made during the two years preceding application, no further investigation with respect to transfer of real property is necessary, unless conflicting information arises.

If the applicant states that a transfer of real property has been made within the two years prior to application, or conflicting information regarding transfer of real property arises, a search of the county recorder shall be made in order to determine whether a transfer was made. [illegible] the factors which are [illegible] shall be determined. This information may be secured from documents in the applicant's possession. If the applicant cannot produce such documents or there is conflicting information, a search shall be made of the records of the county assessor, tax collector, or recorder.

The county records show the names of the grantor, [illegible] social status, [illegible] and the names of [illegible] etc. [illegible] or [illegible] shown on the [illegible].

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The consideration stated in the deed is often nominal and not the true consideration. The exact amount of the consideration cannot be determined from the recorder's records, but the number of revenue stamps attached to the instrument reveals the consideration within certain limits. A 55¢ revenue stamp is attached for each $500 of the consideration; e.g., three revenue stamps indicate a consideration of about $1500. (e)

The date of transfer is considered to be the date of delivery of deed rather than the date of recordation or payment.

The case record shall show full details of the investigation. (W&IC 2007.5, 2140, 2160G, 3075, 3460) (b)

(a) ANC policy covered in Department Bulletin No. 386
(b) Rewritten for clarity
(c) Elimination of the mandatory routine property search
(d) New policy to accept applicant's statement
(e) From Sec. 135-40 which is being deleted

(c) The jurisdiction stated in the deed is often ambiguous and not the true consideration. The amount of the consideration cannot be determined from the recorded records, but the number of revenue stamps attached to the instrument is a key to consideration within certain limits. A 55¢ revenue stamp is attached for each $500 of the consideration, e.g., three revenue stamps indicate a consideration of about $1500.

(d) The date of transfer is considered to be the date of delivery of deed rather than the date of recording or execution.

The case record shall show full details of the investigation. (WCIG Sect.3, 2106, 2109, 2175, 3400)

(a) Any policy covered in the instruction [illegible]
(b) Question to clarify
(c) Elimination of [illegible] transfer [illegible]
(d) [illegible] policy [illegible]
(e) [illegible] [illegible]

DETERMINATION OF VALUE OF AUTOMOBILES, TRUCKS, AND OTHER VEHICLES

OAS, ANB, APSB

The value of automobiles, trucks, motorcycles, etc., owned by applicants for, or recipients of, aid shall be considered in determining eligibility for OAS, ANB, and APSB. The value as determined from the license fee recorded on the State Motor Vehicle Department registration card shall be used.

The registration card issued by the Motor Vehicle Department must be carried in every motor vehicle which is taxed by that department. On the registration card (white slip) for passenger cars is recorded the registration fee ($6.00), and the vehicle license fee which varies in accordance with the value. The amount of the vehicle license fee appears in the space marked "V.L.F. Fee" on the second line above the space provided for the signature of the legal owner.

The registration card for trucks shows the registration fee, the truck weight fee, and the vehicle license fee. Use only that amount which is recorded in the space marked "V.L.F. Fee".

A schedule of the vehicle license fees and the values which they represent follows:

V.L.F.	Value of Vehicle	V.L.F.	Value of Vehicle
$ 1.00	$ ~~55.00~~ 37.00	$11.00	$ ~~630.00~~ 550.00
2.00	~~115.00~~ 105.00	12.00	~~685.00~~ 600.00
3.00	~~170.00~~ 150.00	13.00	~~745.00~~ 650.00
4.00	~~230.00~~ 200.00	14.00	~~800.00~~ 695.00
5.00	~~285.00~~ 250.00	15.00	~~855.00~~ 755.00
6.00	~~340.00~~ 295.00	16.00	~~915.00~~ 805.00
7.00	~~400.00~~ 355.00	17.00	~~970.00~~ 850.00
8.00	~~455.00~~ 405.00	18.00	~~1030.00~~ 905.00
9.00	~~515.00~~ 450.00	19.00	~~1085.00~~ 950.00
10.00	~~570.00~~ 505.00	20.00	~~1145.00~~ 1000.00
		21.00	~~1200.00~~ 1050.00
		22.00	1095.00
		23.00	1155.00
		24.00	1205.00

(a)

Should it be necessary to determine the value of a motor vehicle the vehicle license fee for which is in excess of ~~$21~~ $24, add to ~~$1200~~ $1205 that value in the foregoing table which is opposite the amount by which the vehicle ~~tax~~ license fee exceeds ~~$21.~~ $24.

(Section Continued on Next Page)

(a) To conform to revised tax scale of State Motor Vehicle Department.

The foregoing table cannot be used to determine the value of new automobiles purchased within the current year. Likewise it cannot be used to determine the value of second hand cars previously registered in another state but bought by recipients during the current year. It is anticipated that such cases will be encountered infrequently. Should it become necessary to determine the market value under either circumstance notify the State Department of Social Welfare of the month within the current year in which the car was purchased and the amount of the vehicle license fee as shown on the white slip. The State Department of Social Welfare will then forward a statement of the market value to be used in determining eligibility. (a)

When motor vehicles are being purchased under a contract of sale, the market value of the purchaser's equity rather than the value of the vehicles determines the personal property value of the vehicles. (See Sec. 144-00, Determination of Value of Personal Property being Purchased Under Conditional Sale Contract.) (W&IC 2140, 2163, 3047, 3075, 3447, 3460)

(a) To conform to revised tax scale of State Motor Vehicle Department.

The net return from subrental of rooms in a rented house is income. (See Sec. 150-50, Types of Casual Income.)

The net income from subrental of rooms in a rented home is determined as follows:

1. When a recipient occupies a rented house and sublets a room or rooms and the rent and utilities for the entire house together with the replacement costs of linens and other household equipment for the roomers and the cost of any necessary service connected with that portion which is subrented is in excess of $15, subtract $15 from the total paid for rent, utilities, etc., and deduct the remainder, representing expenses attributable to the roomers, from the total rent paid by the roomers. The difference, if any, represents income to be considered in determining the grant of aid.

   Example: A recipient pays $35 rent and sublets two rooms for a total of $20. The total cost of utilities, replacement of linens, etc., is $10. The sum of the house rent and total cost of utilities is $45. The first $15 of this amount is allocable to the recipient. From $45 deduct $15 leaving $30 expense attributable to the roomers. Since this expense exceeds the gross income from the roomers, there is no income to be deducted in determining the grant. (a)

2. When a couple, either or both of whom receive aid, rent a house in which rooms are sublet, the net income shall be computed as in the foregoing, except that income from the roomers shall be applied toward that portion of the total expense which exceeds $30 rather than $15.

3. When a recipient sublets a portion of a rented house and the sum of the house rent and total cost of utilities, replacements, etc., is $15 or less (double the amount in the case of a couple), the net income from the roomers after deducting their share of the estimated cost of utilities represents income to the recipient (one-half this amount in the case of a couple).

   Example: A single recipient rents a house for $11 and sublets one room for $6. The total cost of utilities, replacements, etc., is $3. Since the total of the house rent and the utilities ($14) does not exceed $15, it is necessary to estimate that portion of the utilities incident to the renting of the room. This amount is determined to be $1. The net income to the recipient is the difference between the gross rent paid by the roomer ($6) and the expense incident to the rental of the room ($1) or $5. This amount ($5) shall be considered in determining the amount of the grant.

In OAS when need for a single recipient is determined by the budget method and there is income from subrental of rooms, the following method may be used in lieu of the method outlined in the foregoing: In the budget under "Need"

(Section Continued on Next Page)

(a) Incorporation of Department Bulletin 359B (3/3/49) and 359B (Revised) (3/10/49)

net return from subrental of rooms in a rented house is income.
(See Sec. 150-30, Types of Gross Income.)

net income from subrental of rooms in a rented home is determined as follows:

1. When a resident occupies a rented house and subrents a room or rooms and the rent covers utilities for the entire house, together with the requirement exists of licensed and other housekeeping equipment from the renting and the cost of any necessary furnishing furnished with that portion which is subrented is in excess of the subrental gain from the total rent for rent, utilities, etc., and deduct the resultant, representing expense attributable to the rooms, from the total rent paid by the renter. The difference, if any, represents income to be considered in determining the gross of gain.

Example: A resident pays $20 rent and subrents two rooms for a total of $20. The total cost of utilities, furnishings of licensed, etc., is $10. The cost of the house rent and total cost of utilities is $25. The first $25 of total amount is allocable to the resident. Form 1040 deduct $25 leaving $5 amount attributable to the renters. Take this difference and deduct the gross income from the renters, which is $6 leaving to be deducted in determining the gross.

2. When a resident, either or both of some rooms and some a room in which rooms are rented. The net income shall be computed as in the foregoing, except that income from the rooms shall be applied based on the portion of the total expense which exceeds $20 rather than $25.

3. When a resident renting a portion of a rented house and the cost of the house rent and total cost of utilities, furnishings, etc., is $25 or less (during the amount in the case of example), the net income from the renting after deducting ratably share of the subtenant gain of utilities, furnishings, etc., is considered to be the amount of a rental.

Example: A tenant rent some rooms a room for $20 and utilities are gain for $5. The total cost of utilities, furnishings, etc., is $5. Since the total of the house rent and the utilities (20) does not exceed $25, it is considered to be a rental. The portion of the utilities amounting to the ratably share of the renting of the rooms. This amount is determined to be $1. The net income to the gain tax is the difference between the gain rent paid by the renter ($20) and the amount deducted by the renting of the rooms ($1) or $5. This amount ($5) shall be considered in determining the amount of the gross.

In the case of a resident, residing in a house and by the landlord and there is income from subrental of rooms, the landlord may be a tax liable of the method contained in the foregoing. In this case "net income"

(Footnote Continued on Next Page)

(a) Incorporation of Department Bulletin 8000 (Revised) and 3000 (Revised) (3/10/48)

~~show the full amount of rent paid for the house and the total utility and service expense including that which is applicable to the roomers. Under "Income" show the gross income from the roomers. If the house is rented by the recipient and the ineligible spouse, show one-half of the rent paid for the house, and one-half of the total utility and service expense including that which is applicable to the roomers as "Need" and include one-half of the gross income for the roomers in the "Income" side of the budget. (W&IC 2140, 3075, 3460).~~

The net return from subrental of rooms is income which shall be considered in determining the amount of the grant. Net income from subrental of rooms shall be determined as follows:

A. Rented House is Primarily Recipient's Home

The net income from subrental of rooms in a rented house, if such house is primarily the recipient's home, is determined by deducting from the gross rental income those expenses which are allocable to the roomers, i.e., extra cost of utilities, laundry, cost of replacement of linen or other equipment used in connection with the rental of rooms, etc. (If the applicant's or recipient's share of rent paid for the entire house is in excess of the basic rental allowance ($15), the amount in excess thereof represents special need provided adequate housing is not available at less cost within the community, a health condition requires close proximity to a medical or shopping center, or the employment of the recipient or his spouse makes proximity to the place of employment a factor.) (a)

Example: A couple rent a house, no utilities included, for $40 a month or $20 each. The share of each is $5 in excess of the basic rental allowance ($15). They subrent a room and their gross rental income is $30 a month. The extra cost of utilities because of the roomer is determined to be $1.50 per month. There is no expense for laundry but the cost of replacement of linen etc., is estimated at 50¢ a month. The net income from sub-rental of rooms is $28 or $14 each ($30 less $1.50 utilities and 50¢ replacements, divided by 2). Since adequate housing is not available in the community for less than $40 a month special housing need is established for each recipient in the amount of $5 a month. In the absence of other special need, the total need of each is $80 a month in OAS or $90 a month in ANB. Deducting the $14 income from total need results in a grant of $66 in OAS or $76 in ANB.

B. Rented House is Rooming House Operated Primarily as a Business Enterprise

Net income from the subrental of rooms in a large rented house occupied by the applicant or recipient, but operated primarily as a rooming house enterprise is determined by deducting from the gross rental income the cost of extra utilities, replacement,

(Section Continued on Next Page)

(a) Incorporation of Department Bulletin 359B (3/3/49) and 359B (Revised) (3/10/49).

services essential to the operation of the business, and the amount by which the rent paid for the property exceeds the basic allowance for rent (i.e., $15 for a single recipient or $30 for a couple). ("Special Need" for housing shall not be allowed in determining the recipient's total need if the rental of rooms is primarily a business enterprise.)

Example: Recipient rents a ten room house in order to operate a rooming house enterprise and pays $70 a month rent. She retains two rooms for her own use and sub-rents eight rooms. Gross rental received by the recipient is $20 a month for each room or a total of $160 a month. Extra utilities for roomers cost $20 a month, linen replacements $6, and house-cleaning services $25. The recipient's rental payment of $70 exceeds the basic rental allowance of $15 by $55. Total expenses allocable to the roomers are $106 ($55 for rent, $20 utilities, $25 cleaning and $6 replacements). Net income to recipient from rooming enterprise is $54 ($160 less $106). (W&IC 2140, 3075, 3460) (a)

(a) Incorporation of Department Bulletin 359B (3/3/49) and 359B (Revised)(3/10/49).

In OAS and ANB, the value of currently used resources shall be considered in determining the amount of aid. Homes owned and occupied by recipients of OAS and ANB are considered currently used resources and the value of their use shall be considered in computing the grant. In APSB, the value of the use and occupancy of premises owned and occupied by the applicant or recipient is exempt from consideration until the income, together with that from other exempt sources, exceeds $800 per year. (See Sec. 151-30, Definition of Exempt Income in APSB.)

The value of occupancy is determined in accordance with the assessed value of the property. The full assessed value is considered in determining the value of occupancy to the recipient, whether he alone occupies the home which he owns or whether it is shared with his spouse, or with others who may, or may not, have an interest in the property.

If the home is the separate property of the ineligible spouse who alone is bearing the cost of upkeep, taxes, etc., the recipient is, in fact, receiving free rent. The value is determined as in any other case in which free rent is contributed by another.

The recipient who holds life estate in the property he occupies is guaranteed the use of the resource and its occupancy value shall be considered in the same manner as though the recipient held title to the property.

Unencumbered homes having a county assessed value of $500 or less, have a minimum value of occupancy of $3.00 per month. The value of occupancy shall be increased at the rate of $1.00 per month for each additional $500 assessed valuation or fraction thereof, up to a maximum of $9.00 per month. The following table sets forth the occupancy value of unencumbered homes in accord with the county assessed valuation of the property.

Value of Occupancy of Unencumbered Homes

Assessed Value	Value of Occupancy
$500 or less	$3.00
$501 to $1000	4.00
1001 to 1500	5.00
1501 to 2000	6.00
2001 to 2500	7.00
2501 to 3000	8.00
3001 or over	9.00

The application of the table may be modified when basic needs of the recipient other than shelter can not be met due to the excessive cost of taxes or assessments. In such event the case record shall show the particular cost which necessitated a modification of the table.

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Encumbered homes have a value of occupancy which shall be determined by subtracting from the appropriate value of occupancy as shown in the table for unencumbered homes the required monthly payment on liens (including principal and interest). The remainder, if any, is the net value of occupancy on encumbered homes.

Example A: Property owned by a single recipient assessed at $1200 is encumbered for $250. Monthly payments on the encumbrance are $3.00 (principal $2.50 and interest 50¢).

Value of occupancy from table for unencumbered homes	$5.00
Less payments on encumbrance	3.00
Net Value of Occupancy	$2.00

When payments on liens, including principal and interest, or on a contract of sale (principal and interest) are required to be paid periodically, i. e., quarterly, semi-annually, annually, or at other stated non-monthly intervals, the required payment shall be pro-rated on a monthly basis. This pro-rated figure shall be considered as the equivalent of the required monthly payment, and shall be deducted from the table value of occupancy in order to determine the net value of occupancy.

When a home is owned as community property each of the couple is responsible for one-half the encumbrance payment. Therefore, only one-half of the required monthly payment on the encumbrance (or on a contract of sale) is to be deducted from the value of occupancy as set forth in the table.

Example B: A home occupied by a couple is assessed at $1,350. The required monthly payment on a $300 encumbrances is $7.00 per month (principal and interest). The net value of occupancy for each of the couple is computed as follows:

Value of occupancy from table for unencumbered homes.	$5.00
Less share of payments on encumbrance	3.50
Net value of occupancy.	$1.50

Duplex dwellings usually contain two identical units. Therefore, the value of occupancy of one unit occupied by the recipient shall be based on one-half the assessed value of the whole property. The net income from the other unit shall be determined in accord with Sec. 152-00, Net Income from Real Property.

An apartment in a building owned by the recipient has a value of occupancy which is determined by dividing the assessed valuation of the whole property by the number of apartments. The net income from the other apartments is determined in accord with Sec. 152-00.

Example C: Apartment house of four comparable units is assessed for $2800. Net value of occupancy of one unit (occupied by recipient) is based on one-quarter of assessed valuation of the whole property.

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When rooms (as distinct from apartments) in a home owned and occupied by the recipient are rented the net value of occupancy shall be determined and, in addition, any net income from roomers shall be considered in determining the grant. The net income from roomers shall be determined by deducting from the gross income from roomers the costs of home ownership (i.e., taxes, insurance, repairs, payments on liens) as well as the costs of extra utilities and services and the replacement costs for linens or other household equipment for the roomers.

Example D: Unencumbered home assessed at $1400. The gross income from two rented rooms is $30. Taxes, insurance, and repairs and the extra cost of utilities and replacement costs for the roomers average about $15 per month. Gross income from roomers $30 less $15 leaves $15 net income from roomers. Value of occupancy of the home $5, as per table. Total amount because of occupancy of the home and net income from roomers, $20.

When the cost of home ownership (i.e., taxes, insurance, repairs, payments on liens), and the cost of extra utilities, replacement costs, etc., exceeds the gross income from roomers, the difference shall be deducted from the value of occupancy as determined by the table.

Example E: The situation is the same as in previous example, except that the home is encumbered. Monthly payments on the encumbrances $20. Therefore, gross income from roomers $30, less $35 (payments on liens $20, average monthly costs of taxes, insurance and repairs and additional utilities and replacements $15), leaves no net income from roomers but a net loss of $5. Value of occupancy as determined by the table is $5. Therefore, there is no deduction either for value of occupancy or for income from roomers.

If rooms (as distinct from apartments) in a home owned and occupied by the applicant or recipient are rented, the net value of occupancy, if any, and any net income from roomers shall be considered in determining the amount of the security payment. The net income from roomers shall be determined by deducting from the gross income from roomers the cost of extra utilities due to rental of rooms, any necessary laundry expense because of the roomers, and the cost of replacement of linens or other household equipment used in connection with the rental of rooms. If the monthly total cost of pro-rated taxes, insurance, the required encumbrance payments, (principal and interest) if any, $2 monthly allowance for minor repair and upkeep (or the recipient's monthly share thereof) and the net occupancy value, if any, exceeds $15, the amount in excess of $15 shall be allowed as special need.

Example D: A recipient and his spouse own their own home and rent two rooms receiving $30 gross rental. The extra cost of utilities because of the roomers is determined to be $2.50 a month. The laundry cost for linen used by the roomers is estimated at $2 per month, and the cost of replacement of linen, etc., is estimated at $1 per month. The couple's net income from the roomers is $30 less $5.50 ($2.50 utilities $2 laundry and $1 replacement) or $24.50 ($12.25 each). (a)

(a) Incorporation of Dept. Bull. 359B (3/3/49) and 359B (Rev.) (3/10/49.)

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The home is assessed at $1100 and is encumbered. The required monthly encumbrance payment is $18 and there is no net occupancy value. City and county taxes average $12 a month, insurance $1, and upkeep $2. The couple's total housing cost is $33 ($18 encumbrance, $12 taxes, $1 insurance, and $2 upkeep) or $16.50 each. This is $1.50 more than the basic housing cost for each recipient ($15) and therefore there is a special need for housing in the amount of $1.50 per month. In the absence of other special need the total need in OAS is $76.50 ($75 plus $1.50 or in ANB $86.50 ($85 plus $1.50)). Deducting the $12.25 income from total need results in a grant of $65 in OAS ($64.25 increased to the next higher whole dollar) or $75 in ANB ($74.25 increased to the next higher whole dollar.)

Two or more separate dwellings, one of which the recipient occupies, may be located on property owned by him. The value of occupancy of the one dwelling shall be determined by dividing the assessed valuation of the whole property by that fraction which represents the number of rooms in the occupied dwelling over the total number of rooms in all dwellings located on the property.

Example E: Property has front house of six rooms and rear cottage of three rooms which is occupied by recipient. Value of occupancy of rear cottage would be based on 3/9, or 1/3 of the total assessed value of the whole property. The net income from the rented dwelling shall be determined according to Sec. 152-00.

Farm or ranch homes are usually located on property consisting of a number of acres. In general it shall be considered that one acre of the land is attached to the dwelling and the value of occupancy shall be based on the assessed value of the dwelling and one acre of land.

Example F: Home consists of dwelling and 20 acres of orchard. Assessed value re $1000, Imp. $300, total $1300. Value of occupancy would be computed on the assessed value of $350 (Imp. $300, re $\frac{\$1000}{20}$)

If an income is derived from the orchard the net income shall be computed in accordance with Sec. 151-90, Income from Crops or Livestock, and the taxes on the balance of the land ($\frac{950}{1300}$ or $\frac{19}{26}$ of taxes on whole property) is considered an expense and allowed in determining net income from that portion of the property.

When the home is a part of business property such as chicken, dairy, or other ranching enterprise, and the assessed value of improvements (or buildings) in part belongs to the enterprise and in part to the dwelling, the portion of the assessed value of improvements to be considered as belonging to the home is left to the judgment of local authorities, unless allocation of assessed value of the dwelling can be secured from the assessor's records. Value of occupancy shall be computed on assessed value as with other homes.

(a) Incorporation of Dept. Bull 359B (3/3/49) and 359B (Rev.) (3/10/49.)

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Example G: Home is on a dairy ranch. Assessed value re $1000, Imp. $2000, total $3000. Improvements consist of small three-room dwelling and large modern barn, dairy, etc., on 50 acres. It is determined by local authorities that the dwelling represents only 1/4 of the value of all improvements. The assessed value of the dwelling shall be $500 + $20 (1 acre of land or $\frac{1000}{50}$ = $20) or $520.

If the home is part of an urban business property such as store building with apartment above, the assessed value of the portion used as the home shall be determined as above.

Homes on land owned by another may be assessed as personal property to the owner of the dwelling. Determine the value of occupancy in the same manner as for real property. Such homes may include cabins on Federal lands such as national forests, Indian reservations or allotments, land owned by a corporation or private land owned by another; etc.

If the dwelling is not assessed, the value of occupancy shall be based upon the appraised value in accord with the following table.

Value of Occupancy as Determined by Appraised Value

Appraised Value	Value of Occupancy
$500 or less	$3.00
501 - 799	4.00
800 - 999	5.00
1000 or over	6.00

If rent is paid for the land on which the dwelling rests, the value of occupancy is determined by subtracting the monthly land rent from the appropriate figure set forth in the foregoing table. (See Sec. 150-40, Definition of Casual Income and Inconsequential Resources.)

A makeshift shelter of negligible value may be considered as inconsequential resource. (W&IC 2020, 2140, 3075, 3084, 3460,3472)

The amount of aid to which any applicant for APSB shall be entitled shall be, when added to the net income of the applicant from all other sources, ~~$75~~ $85 per month. Net income from any of the following sources of a combined total value not exceeding $800 per annum shall not be considered for any purpose: (a)

1. Income from applicant's labor or services;

2. The value of foodstuffs produced by the applicant or his family for his use or that of his family;

3. The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use;

4. The value of gifts;

5. The value of the use and occupancy of premises owned and occupied by the applicant;

6. The net income from real and personal property owned by the applicant. Income in addition to the above specified shall be computed on the basis of net income. (W&IC 3472)

Free board and lodging supplied to an applicant for APSB because of his necessity therefor, by a friend or relative who is not responsible for his support or who is financially unable to support him, shall not be a ground for refusing aid. (W&IC 3449)

The county board of supervisors shall investigate, annually or oftener, the qualifications of the blind persons receiving aid under the provisions of this chapter and may increase or decrease the allowance within the limits prescribed in this chapter, or, if the board is satisfied that any person receiving such aid is not entitled thereto, it shall deny him further aid and shall forthwith notify the county auditor and the Chief of the Division for the Blind in the SDSW of such action. The person receiving aid however, shall have the right of appeal to the SSWB from such action. (See Secs. 151-30, Definition of Exempt Income in APSB, and 157-15, Method for Determining the Amount of Grant in APSB.) (W&IC 3089, 3460)

Every person administering aid shall endeavor at all times to perform his duties in such manner as to secure for every blind person the maximum amount of aid to which he is entitled.

(a) Change in maximum grant.

After the exempt income exceeds $800 in a given year, an adjustment shall be made in the amount of aid and the total net income including aid shall not exceed ~~$75~~ $85 per month (see Sec. 361-15, Adjustment in Amount of Grant in APSB) for the balance of the year. Exception: If the recipient is making an allocation to a spouse, no adjustment shall be made until the support of the spouse has been met, but in no event shall the amount allocated to the support of the spouse exceed $800 in any given year. Such allocation shall not be made until the recipient has had his full maximum of $800 exempt income. (See Sec. 153-80, Division of Income With Spouse.) (a)

An APSB recipient may have net income up to $800 from exempt sources without affecting the maximum monthly grant of aid, unless a smaller grant must be given because of general relief which is granted for any part of the period covered by the first APSB warrant. (See Secs. 610-90, Duplication of GR (also known as IN) and Categorical Aid Payments, and 151-30, Definition of Exempt Income)

An applicant (including original applications, restorations, transfers from ANB, and reapplications) for APSB who has a regular monthly net income in excess of ~~$141.67~~ $151.67 a month from the various sources of allowable income (see Sec. 157-05, Provisions of W&IC Regarding Determination of Amount of Grant in APSB) is deemed to have income sufficient to provide a reasonable and decent standard of living and is ineligible to aid, even though he has a spouse without other means of support. (W&IC 3460, 3472) (a)

(a) Change in maximum grant.

An inmate of a public institution may apply for aid, and if otherwise eligible, aid shall be granted. ~~The applicant may remain in the institution until he receives his first warrant at which time he shall cease to be an inmate. Upon release aid shall be granted to such inmate~~ from the first day of the month in which the determination is made that he is eligible, but in no event shall the aid commence prior to the date of application. (W&IC 2160e, 3044, 3444) (a)

~~The warrant delivered upon the applicant's release from the institution shall be in the full monthly amount, provided the application was signed on or prior to the first day of the month in which aid was granted.~~ Not more than one warrant may be delivered to the applicant at the public institution. The applicant must move from the institution as soon as possible after receiving his first warrant. For procedure governing restoration after discontinuance because of confinement in a public institution for medical care, see Sec. 610-60, Payment to Inmate of Public Institution. (See also Sec. 610-70, Certification of Payment after Release of Inmate From Institution.) (W&IC 2140, 2160e, 2183, 3044, 3075, 3084, 3444, 3460) (a)

A person may apply for and receive aid while on parole from a state hospital. (See Sec. 124-35, Residence While on Parole) (AGO NS858, NS3293)

Aid shall be granted to a person on parole from a prison if he is otherwise eligible. (AGO NS5624)

An inmate of a federal hospital or home may apply for ANB or APSB and receive such aid while an inmate. (W&IC 3044, 3044.5, 3075, 3444, 3460; AGO NS572)

A person confined in a public institution of a custodial or correctional character is not eligible to receive aid and aid shall be discontinued as of the last day of the month in which a recipient enters such institution. When aid is restored following discontinuance because of confinement in a public hospital or in a public institution of a custodial or correctional character, aid may be restored for the balance of the month during which he was not confined in such institution, provided he is otherwise eligible. (See Sec. 215-00, Restoration of Aid.) (W&IC 2140, 2160e, 3044, 3075, 3444, 3460)

(a) New Policy

Immediately following action of the board of supervisors, the applicant shall be notified in writing of the disposition of his application and of his right of appeal to the SDSW for a fair hearing. (See Sec. 325-20, Right, Purpose, and Scope of Appeal.) This includes the applicant who has applied for a transfer from ANB to APSB or vice versa.

~~In OAS, ANB, and APSB,~~ The applicant shall also be notified of his right to a hearing before the board of supervisors. Every notification of denial shall include the reason for such action. (a)

Notification of Action by the Board of Supervisors (Forms Ag, B1, ~~GA~~ 239) includes the minimum requirements for notification to the applicant and shall be used by the county unless a substitute form which incorporates the information appearing on Forms Ag, B1 ~~GA~~ 239 is used, namely: (a) (a)

1. The nature of the board of supervisors' action, i.e., granting of aid (on new applications or restorations) or denial of aid. ~~When~~ If granted, the amount of aid shall be shown.

2. The date from which the board of supervisors' action is effective.

3. The date the Forms Ag, B1 ~~GA~~ 239 is forwarded to the applicant. (a)

4. A statement regarding the right of appeal for a fair hearing, including the address of the SDSW. ~~In OAS, ANB, and APSB,~~ The applicant shall also be notified of his right to a hearing before the board of supervisors upon application for such hearing within 30 days from the date of notification of the board of supervisors' action.

5. A suggestion that the applicant discuss with the county any dissatisfaction regarding the board of supervisors' action.

In OAS and ANB in addition to the above requirements, Form Ag, B1 239 shall include the following items: (b)

6. The source of income and amount of deductions shall be listed ~~when~~ if aid is granted in less than the maximum amount.

7. The amount of total need shall be shown, ~~when~~ if the total verified need of the individual is determined to be in excess of the statutory maximum.

If ~~in OAS~~ a recipient requests it, he shall be provided with a statement of the particular items ~~in his budget,~~ of special need allowed, the amount allowed for each item, and the total need. Such statement shall be provided him within 10 days after the request is made. (a)

(Section Continued on Next Page)

In ANC, when the Probation Officer or other person is the applicant and the relative is the payee, Form CA 239 should be sent to the relative with whom the child is living. Since care given to children in institutions or boarding homes is usually on a contractual basis, it is not necessary to send Form CA 239 to institutions or boarding homes in every case. However, inasmuch as any person responsible for care or caring for a child may file an appeal with the SSWB, the county should make known to the Probation Officer and to the institution or boarding home caring for ANC children the fact than an appeal may be filed. (See Secs. 236-30, Content of Case Record, and 361-80, Notification to Recipient of Change in Grant.) (W&IC 1551, 1560, 2016, 2140, 2181.1, 2182, 3075, 3086, 3087.5, 3089, 3460, 3473, 3473.2.) (a)

(a) ANC policy covered by Dept. Bull. No. 373.
(b) In conformity with policy in Dept. Bull. No. 390.

~~When~~ If a statement is made on the Affirmation of Eligibility (Forms Ag, B1, ~~GA~~ 206) that the recipient, ~~or in ANG the child of his parents,~~ and/or his spouse has not acquired real property since the last investigation, ~~and a report of an earlier two-year property search is on file,~~ no additional real property investigation need be made unless information which conflicts with the statement is found. ~~When there is no report of a previous property search, a search shall be made for the two-year period preceding the current reinvestigation.~~ If conflicting information arises, a complete reinvestigation of real property holdings shall be made. (See Secs. ~~135-40, Real Property Search,~~ 146-00, Conversion of Property, and 233-00, Verification of Real and Personal Property.) (b)

~~When~~ If changes in property holdings are reported on the Forms Ag, B1~~, GA~~ 206 or otherwise come to the attention of the county, a complete reinvestigation of property holdings shall be made. See Chapter 130-00, Real Property, for eligibility policies on real property. (See Secs. ~~352-10,~~ 352-15, and 352-20, Recording of Reinvestigation.) (a)

The amount of encumbrances of record against real property shall be determined. (See Sec. 132-03, Encumbrances of Record Deducted from Assessed Value of Real Property.)

Transfers of real property which are revealed during the reinvestigation shall be evaluated in accordance with the provisions set forth in Sec. 135-00, Transfer of Real Property to Qualify for Aid.

The dates of verification and findings regarding real property shall be recorded in the case record. (W&IC ~~1500,~~ 2140, 2184, 3075, 3089, 3460) (a)

(a) ANC covered in Dept. Bull. No. 386.
(b) Elimination of mandatory routine property search and clarification.

(a) AXC covered in Dept. Mail. No. 386.

(b) Alienation of mortgagor retains property except and clarification.

~~When~~ If OAS was discontinued because of employment and request for restoration is made to the same county within twelve months from the date of discontinuance, immediate investigation shall be made. The facts of eligibility shall be secured and investigation shall be completed by action of the board of supervisors at the earliest possible date (see Sec. 611-55, Beginning Date of Aid, Restorations). If all of the facts pertinent to eligibility determination have not been secured by the date of the first meeting of the board of supervisors subsequent to the end of the 30-day period from the date the request was signed, aid shall be conditionally restored by action of the board of supervisors at that meeting from the first of the month in which the 30 day period ended. The conditional restoration is made on the basis of the former recipient's presumptive eligibility.

~~When~~ If aid is conditionally restored the Notice of Change Form (Ag 232) reporting such restoration to the SDSW must clearly show that the restoration was conditional, i.e., "conditional restoration - presumptive eligibility" shall be recorded in the space headed "Reason for Change" on the Form Ag 232. (If the fact of eligibility has been established by the time the investigation is completed by action of the board of supervisors, "Eligibility Established" shall be recorded in the space headed "Reason for Change" on Form Ag 232).

In every case in which aid is conditionally restored, the investigation shall be continued with diligence. When proof of eligibility is secured, and establishes that the recipient was eligible ~~to~~ for the aid paid to him from the date aid was conditionally restored, the restoration shall again be acted upon by the board of supervisors at their next meeting. A report of that action shall be submitted to the SDSW on a Notice of Change Form (Ag 232). Under these conditions (the grant is and has been in the correct amount since the effective date of the conditional restoration) no entry is made in the upper part of Section 1 on the Form Ag 232. In the lower part of Section 1 under "Reason for Change" the fact that the case had previously been conditionally restored shall be noted together with a statement that eligibility has been established from the beginning date in the specific amount paid.

Example 1. A recipient requests restoration on ~~October 25~~ April 8. By board of supervisors' action on ~~11/28~~ 5/18 aid is conditionally restored in the amount of ~~$60~~ $75 effective ~~November 1~~ May 1. The facts secured subsequent to the conditional restoration show the recipient to have been eligible ~~to~~ for the ~~$60~~ $75 grant made to him beginning ~~November 1~~ May 1. On ~~January 3~~ July 3 the investigation is completed by action of the board of supervisors certifying to the recipient's eligibility to receive aid in the amount paid from the effective date of the conditional restoration. This second action of the board of supervisors is reported on the Notice of Change as follows: (a)

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance				

(Section Continued on Next Page)

Reason for Change

Former Conditional Restoration - Eligibility from ~~11/1/47~~ 5/1/-- in the amount of ~~$60~~ $75 now established.

Approved by the Board of Supervisors of _____ County on ~~1/3/48~~ 7/3/--.

(Signed) _____

~~When~~ If the verification secured subsequent to the conditional restoration establishes eligibility (1) to a lesser amount than conditionally paid or (2) to receive aid in some but not all of the months during which aid was conditionally restored, the board of supervisors at their next meeting shall act upon the adjustment, if any, to be made in the current grant, and shall establish the amount of aid ~~to~~ for which the recipient was eligible, as revealed by the completed investigation, during the period that aid was conditionally paid. In the upper part of Section I of the Form Ag 232 only that action which in any way changes the grant presently received shall be recorded. In the lower part of Section I under "Reason for Change" (use reverse of form if sufficient space is not available), the fact that the case had previously been conditionally restored shall be noted. Also there shall be recorded a statement of the amount the completed investigation reveals the recipient to have been eligible to receive beginning with the date the conditional restoration was effective, together with the need and the income considered (a) in determining the amount ~~to~~ for which the recipient was eligible.

Example 2. The request for restoration was signed on ~~September 10~~ April 10. By action of ~~10/21~~ 5/22 the board of supervisors conditionally restored aid from ~~October 1~~ May 1 in the amount of ~~$60~~ $75 per month to a recipient having no income and whose personal property holding had not yet been established. The investigation was not completed until action by the board of supervisors on ~~January~~ August 15 and showed that the recipient, having no need in excess of ~~$60~~ $75, had $15 income in ~~November~~ June and no income in ~~December~~ July or thereafter. Personal property holdings were established to be within the maximum until ~~12/21~~ 7/21 when funds received from sale of real property made him ineligible for further aid.

The second action of the board of supervisors is reported on a Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance	~~1/31/48~~ 8/31/--	xxx	xxx	xxx

Reason for Change

Former conditional restoration. Eligibility from ~~10/1/47~~ 5/1/-- now established as follows:

(Section Continued on Next Page)

~~Oct. 1, 1947~~ May 1, 19-- - ~~$60~~ $75 grant - no income
~~Nov. 1, 1947~~ June 1, 19-- - ~~$45~~ $60 grant - $15 income, need not above ~~$60~~ $75
~~Dec. 1, 1947~~ July 1, 19-- - ~~$60~~ $75 grant - income ceased
~~Dec. 31, 1947~~ July 31, 19-- - Ineligible further payment. Personal property resulting from sale of real property on ~~12/21~~ 7/21 excessive.

Approved by the Board of Supervisors of_____County on ~~1/15/48~~ 8/15/--.

(Signed)_____

~~When~~ If the verification secured subsequent to the conditional restoration establishes that overpayment occurred during the period while aid was conditionally restored, adjustment shall be made for such amount thereof as can be offset by adjustment within the current adjustment period. In the application of Secs. 361-10, Decrease in Grant, or 361-50, Discontinuance of Aid, the full amount of the overpayment shall be considered irrespective of the existence of actual or constructive fraud, or mistake of fact. (See Sec. 670-88, Overpayments Resulting from Conditional Restorations in OAS.) Such action shall be taken by the board of supervisors at the first meeting after the facts have been determined.

Example 3. If in Example ~~1~~ 2 there had been no property sale but the $15 income which began in ~~November~~ June was continuing income, overpayment occurred not only in ~~November~~ June but in ~~December~~ July and ~~January~~ August. With no need in excess of ~~$60~~ $75 there was an overpayment of ~~$45~~. By board of supervisors' action on ~~1/15/48~~ 8/15, the grant for ~~February~~ September would be reduced to ~~$15~~ $30 which adjustment would take into consideration the $15 income to be received in ~~February~~ September and the overpayment for ~~December~~ July and ~~January~~ August (both of which months would be within the current adjustment period) and the grant would be increased to ~~$45~~ $60 effective ~~3/1/48~~ 10/1 (See Sec. 361-10, Decrease in Grant.) Repayment of the $15 overpayment in ~~November~~ June is requested. (See Sec. 670-88) (a)

The Notice of Change reporting the action would be completed as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease	~~2/1/48~~ 9/1/--	~~$15.00~~ $30.00	$15 earnings $15 ~~Dec.~~ July o.p. $15 ~~Jan.~~ Aug. o.p.	-
Increase	~~3/1/48~~ 10/1/--	~~$45.00~~ $60.00	$15	-
Restoration				
Discontinuance				

Reason for Change

Former conditional restoration. Eligibility from ~~10/1/47~~ 5/1/-- now established as follows:

(Section Continued on Next Page)

~~Oct. 1, 1947~~ May 1, 19-- - ~~$60~~ $75 grant - no income
~~Nov. 1, 1947~~ June 1, 19-- and thereafter ~~$45~~ $60 grant - $15 income and need not above ~~$60~~ $75

(a)

Approved by the Board of Supervisors of _____ County on ~~1/15/48~~ 8/15/--.

(Signed) _____

~~When~~ If the verification secured subsequent to the conditional restoration shows that the recipient is currently receiving a lesser amount of aid than he is entitled to receive, appropriate action of the board of supervisors shall be taken to increase the grant to the proper amount and ~~the county may~~ to pay retroactive aid for the preceding two months as provided in Sec. 361-25, Item 11. (b) Such action shall be reported to the SDSW on a Notice of Change in the usual manner. In Section I of form Ag 232 under "Reason for Change" the fact that the case had previously been conditionally restored shall be noted. Also there shall be recorded a statement of the amount the completed investigation reveals the recipient to have been eligible to receive beginning with the date the conditional restoration was effective, together with the need and the income considered in determining the amount ~~to~~ for which the recipient was eligible.

Example 4. A recipient having need of ~~$70~~ $85 requested restoration September 3. By board of supervisors' action on October 15 his aid was conditionally restored effective October 1 in the amount of ~~$50~~ $65 on the basis of his statement that he received $20 income from rental. Subsequent investigation revealed that his net income for the rental was $15. On 12/5 the board of supervisors increases the grant on the basis of the facts as to his income. (a)

The action of the board of supervisors is reported on the Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase	~~1/1/48*~~ 10/1/--	~~$55.00~~ $70.00	$15	~~$70.00~~ $85.00
Restoration				
Discontinuance				

Reason for Change

Former conditional restoration. Completed investigation establishes recipient was eligible for ~~$55~~ $70 per month beginning October 1/~~47~~. Rental income $15 and need ~~$70~~ $85. Was conditionally restored @ ~~$50~~ $65 per month.

Approved by the Board of Supervisors of _____ County on ~~12/5/47~~ 12/5/--.

(Signed) _____

(Section Continued on Next Page)

~~*If the county elects to pay retroactive aid as provided in Sec. 361-25, Item 11, this date would be 10/1/47.~~ (b)

~~When~~ If aid is restored conditionally and ~~when~~ if the investigation has continued until all reasonable sources of proof of eligibility have been examined without establishing eligibility, the aid which was conditionally restored shall be discontinued. On the Notice of Change reporting the discontinuance action of the board of supervisors, a statement under "Reason for Change" on the Form Ag 232 shall be made as follows:

> "Former Conditional Restoration. Investigation completed and eligibility from _____ (beginning date of conditional restoration) not established."

Request for repayment to the extent of the conditional aid granted shall be made. (See Sec. 670-88) (W&IC 2183.9)

(a) To conform with current maximum grant.
(b) To conform with policy regarding mandatory retroactive aid payments.

Retroactive aid means aid paid in a subsequent month for some preceding month or months. All payments of aid shall be made within the month for which aid is granted (see Sec. 611-50, Beginning Date of Aid--New Applications) except that retroactive aid shall be paid by the county in the following types of situations (see Sec. 626-50, Supplemental Aid Claims):

1. When retroactive aid is granted upon appeal to the SSWB or when the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive aid without hearing by the SSWB (see Secs. 325-42, Stipulated Appeals, and 325-75, Retroactive Aid).

2. When retroactive initial payments are due because the investigation exceeded the period allowed by law for the particular category of aid as described in Sec. 611-70, Retroactive Initial Payments. The action of the board of supervisors may be an original action on the application (for examples see Sec. 611-70, Examples B, C, and ~~B~~, ~~D and E~~), or it may be a subsequent action to correct the original action where it is found that the beginning date originally established was not in accord with the legal provisions.

Example: An OAS application which was signed on July 15 was approved by the board of supervisors on September 15, aid to start effective October 1. On October 25 the county discovers that aid should have been effective September 1 according to the provisions of W&IC Sec. 2183. On November 2 the board of supervisors takes action correcting the erroneous beginning date of aid by ordering aid paid effective September 1.

3. When an authorized award is in effect but through error no payment is made, and the payment due is made within a three-month period, including the month in which no payment was made. No further action by the board of supervisors is necessary.

4. When a payment in a particular month is made for less than the authorized award for that month and the additional payment due is made within a three-month period, including the month in which the erroneous payment was made. No further action by the board of supervisors is necessary.

   Example: The authorized award for a recipient of ANB for October is $75. Due to an error, the recipient was paid $60 for October. County shall pay recipient additional $15 due for October in November or not later than December 31.

5. When an award has been made and remains in effect, but payment of aid is suspended as provided in Sec. 361-30, Suspension Procedure, and subsequently eligibility to the suspended warrants is established. Board of Supervisors' action is not required to release a suspended warrant. (See Sec. 361-30, Suspension Procedure.)

(Section Continued on Next Page)

(a) Comparable ruling in ANC to be presented prior to March 1, 1949

Retroactive aid means aid paid in a subsequent month for some preceding month or months. All payments of aid shall be made within the month for which aid is granted (see Sec. 611-50, Beginning Date of Aid--New Applications) except that retroactive aid shall be paid by the county in the following types of situations (see Sec. 626-30, Supplemental Aid Claim):

1. When retroactive aid is granted upon appeal to the SSWB or when the SSWB confirms in the county's recommendation that the appeal be authorized by payment of retroactive aid without hearing by the SSWB (see Sec. 325-12, Estimated Grants, and 325-70, Retroactive Aid).

2. When retroactive initial payments are due because the investigation exceeded the period allowed by law for the particular category of aid as described in Sec. 611-70, Retroactive Initial Payments. The action of the board of supervisors may be an original action on the application (for example see Sec. 611-72, Example E and F, Case-3), or it may be a subsequent action to correct the original action where it is found that the beginning date originally established was not in accord with the legal provisions.

Example: An OAS application which was signed on July 15 was approved by the board of supervisors on September 15, aid to start retroactive October 1. On October 25 the county discovers that aid should have been effective September 1 according to the provisions of WIC Sec. 5123. On November 2 the board of supervisors takes action correcting the erroneous beginning date of aid by ordering aid paid effective September 1.

3. When an authorized warrant is in effect but through error no payment is made, and the payment due is made within a three-month period, including the month in which the payment was made, no further action by the board of supervisors is necessary.

4. When a payment in a particular month is made for less than the concurred award for that month and the additional payment due is made within a three-month period, including the month in which the erroneous payment was made, no further action by the board of supervisors is necessary.

Example: The authorized award for a recipient of AAB for October is $75. Due to an error, the recipient was paid $60 for October. County shall pay recipient additional $15 on or before the December or any later time in order 3.

5. When an award has been made and warrant in effect, but payment of aid is suspended or prevented (see Sec. 321-30, Suspension Procedure, and necessary eligibility to the suspended warrant is established, board of supervisors' action is not required to release a suspended warrant. (See Sec. 321-30, Suspension Procedure.)

(Section Continued on Next Page)

(a) Unpaid balance ending in AAB to be prorated prior to March 1, 1964

6. When a warrant is returned to the county auditor's office because of a change in the address of the recipient such warrant shall be transmitted to the recipient's new address as soon as possible in the current month or within the two subsequent months following that for which the warrant was issued. (See Sec. 610-20, Time of Payment.)

7. When aid is continuous and there is a change of payee, the warrant shall be delivered to the new payee as soon as possible in the current month or within the two subsequent months following that for which aid is granted.

8. When, in a transferred case, the second county fails to begin aid on the date due. To avoid interruption in receipt of aid the second county shall pay retroactive aid. (See Sec. 122-50, Removal from County of Residence.)

~~9. When the board of supervisors rescinds and/or corrects its previous action. In these cases retroactive aid shall be paid under the following circumstances and limitations:~~

~~a. Rescission of denial action on an application (see Sec. 201-25, When Application to be Taken.) The rescinding action must be taken within one year from the date of the action which is being rescinded, and the date of the original application governs the date when aid will begin. (See Sec. 611-50, Beginning Date of Aid--New Applications.)~~

~~b. Rescission of an erroneous action discontinuing aid. The rescinding action must be taken within one year from the date of the action which is being rescinded.~~ (a)

9. When it is determined that the previous action of the board of supervisors was erroneous, the board of supervisors shall rescind and correct its previous action under certain circumstances and limitations as follows:

a. Rescission of denial action on an application. (See Sec. 201-25, When Application to be Taken.) The rescinding action must be taken within one year from the date of the action which is being rescinded. The beginning date of security is then determined on the basis of the elapsed time between the date the application was signed and the date of the action granting the retroactive aid due. (See Sec. 611-50, Beginning Date of Aid--New Applications.)

b. Rescission of an erroneous action discontinuing aid. The rescinding action must be taken within one year from the date of action which is being rescinded and retroactive aid granted from the first of the month following the effective date of the erroneous discontinuance.

(Section Continued on Next Page)

(a) Clarification

10. When the SDSW concurs in a county recommendation that retroactive aid be paid or when the county concurs in a SDSW recommendation that retroactive aid be paid in appeals involving degree of blindness. (See Sec. 325-42, Stipulated Appeals.)

11. Retroactive aid ~~may~~ shall be paid by the county when a payment was made in conformity with the authorized award and it is subsequently determined that the recipient was eligible for a larger grant, provided it is administratively possible to secure action of the board of supervisors ~~and to deliver the warrant~~ before the end of the second month following that in which the recipient was underpaid.

~~Example A: An OAS recipient receives $50 in October, a $10 deduction made because of a son's contribution. On December 5 the county learns that the son ceased his contribution in September, and the recipient has had no other income. He was, therefore, eligible to receive a grant of $60 for October and for November.~~

~~If it is administratively possible, the board of supervisors may grant retroactive aid due for October provided the warrant can be delivered not later than December 31 and for November provided the warrant can be delivered not later than January 31.~~

~~Example B: An ANB recipient received a grant of $35 in October on January 21 the county verified that income formerly received ceased in October and that the recipient was entitled to receive a grant of $75 from November 1. The board of supervisors does not meet again until February 5. On that date the February grant is increased to $75 and retroactive aid for December and January may be granted provided the retroactive aid due for December can be delivered not later than the last day of February and the retroactive aid due for January can be delivered not later than March 31. Retroactive aid for November may be granted only upon concurrence of the SDSW or upon appeal to the SSWB.~~ (a)

~~Example C: ANC in the amount of $150 was paid for October to meet the budgetary deficiency for a family of mother and four children. On November 10, county learned that family had moved to more adequate living quarters and rent for October increased by $7. The board of supervisors may grant $7 retroactive aid for October provided such action is taken in November or December and the warrant is delivered not later than December 31.~~

Example A: An OAS recipient received $65 in July. A $10 deduction was made because of a son's contribution. On September 5th the county learned that the son ceased his contribution in June, and the recipient has had no other income. He was thus eligible to receive a grant of $75 since July 1.

(Section Continued on Next Page)

(a) To make examples consistent with $75 maximum.

If administratively possible the board of supervisors shall by action in September grant retroactive aid for July and August (and authorize a supplemental payment for September). If not administratively possible to take such action in September, action shall be taken in October to grant the retroactive aid due for August and September the two months preceding the month in which the action is taken (and to grant supplemental aid for October). (a)

Example B: An ANB recipient received a grant of $35 in August and in October the county verified that the income formerly received ceased in August. Therefore the recipient was eligible for a grant of $85 from September 1. The board of supervisors does not meet again until November 5. On that date the November grant is increased to $85 and retroactive aid for September and October is granted.

(See Sec. 627-30, Federal Participation.) (W&IC ~~1552.5~~, ~~1560,~~ 2140, 2220, 3075, 3078.5, 3460; AGO NS4670; FSS-Admin.)

(a) To make examples consistent with $75 maximum.

When income is applied toward verified total need in excess of the statutory maximum, it shall be reported on the Notice of Change (Form Ag, Bl 232) even though the computation of the grant on the basis of need in excess of $60 in OAS and $75 in ANB may result in no change in the amount of the aid payment. So long as the need continues to be in excess of these amounts it is not necessary to report subsequent changes in the total need or the income, or both, until such change requires adjustment of the aid payment.

Example A: A recipient heretofore without income is receiving $60 OAS. In November he receives $10 net income from rental. Total need is verified as $77. Although the grant remains the same, Form Ag 232 reporting the computation of the grant on the basis of need in excess of $60 shall be submitted. The information is recorded on Form Ag 232 opposite "Change in Need or Income - No Change in Grant" and the date shown in Column 2, is the date from which income is applied toward need in excess of $60.

(a)

Example B: On December 1, a recipient of ANB begins to receive income of $12 a month and his total need is established at $90. Although he has received $75 aid, Form Bl 232 reporting computation of the grant effective December 1, on the basis of need in excess of $75 shall be submitted. In February the income increases to $16 a month, but total need is established as $95 a month. The submission of Form Bl 232 to report a change in the income and the need is not necessary as the grant remains the same. In March the income increases to $25 a month, but total need remains the same. Appropriate adjustment in the grant shall be reported by submission of Form Bl 232.

When the grant has been computed on the basis of need in excess of the statutory maximum in OAS and ANB and subsequently the grant is determined by deducting the income from the statutory maximum because need is no longer in excess of such amounts, or when the income has ceased, Form Ag, Bl 232 reporting the change in method of grant computation shall be submitted. (W&IC 2140, 3075)

Example C: An OAS grant of $60 has been reported this being difference between established need of $75 and $10 income. The income ceases. Although the grant remains $60, income is no longer applied toward total need in excess of $60. Form Ag 232 reporting the change basis of the grant computation shall be submitted.

(W&IC 2140, 3075)

(a) Deletion

An inmate of a federal hospital or home may apply for ANB or APSB and receive such aid while an inmate. (See Sec. 162-05, Eligibility of Public Institution Inmates and Parolees) There is no federal participation in such cases.

Other than as stated above:

1. Aid shall not be paid to any inmate of a public institution, except when confined for temporary medical or surgical care. Sec. 164-10, Eligibility During Hospitalization, relating to continuance of aid to a recipient confined in a public hospital for medical or surgical care, shall determine the final payment to such a recipient.

2. When aid is restored to a former recipient whose aid was discontinued because of confinement in a public institution, the beginning date of such aid shall not antedate the day he leaves the institution. (See Sec. 215-00, Restoration of Aid.)

~~3. Inmates of public institutions who have not previously received aid may make application for OAS, ANB, or APSB, but shall leave the institution on receipt of the first monthly warrant. The aid delivered upon the release of such inmate shall be payable from the first day of the month in which the determination is made that he is eligible, but in no event shall the aid commence prior to the date of application. (See Sec. 162-05, Eligibility of Public Institution Inmates and Parolees.) (W&IC 1529, 1560)~~

3. Inmates of public institutions may make application for OAS, ANB, or APSB, and if eligible aid shall be paid from the first day of the month in which the application is granted, provided such date does not precede the date of application. If the applicant has not left the institution by the time the payment for the month in which the application is granted is due to be delivered the warrant shall be delivered to the applicant at the institution. The applicant must leave the institution immediately following receipt of that warrant and no further warrant shall be delivered until he has left the institution. (W&IC 2140, 2160, 3044, 3044.5, 3075, 3444, 3460; AGO NS572, NS4700; FSS-Admin.) (a)

(a) New policy to meet the situation wherein the applicant could not leave the institution until he had funds to make a living plan, but could not receive the payment until he had ceased to be an inmate.

(b) To be presented in ANC material prior to March 1, 1949.

~~As evidence that the warrant for an applicant who was an inmate of a county public institution was delivered to him after his release from the institution, a Certificate of Delivery of Payment of Aid (Form Ag, B1 231) shall be completed and forwarded to the SDSW. The county official or other person delivering the warrant certifies on Form Ag, B1 231 to the date the applicant left the institution and the date the warrant was delivered.~~

(a)

As evidence that an applicant whose application was granted while an inmate of a public institution and who received his first warrant while in the institution ceased to be an inmate following receipt of that warrant a Certificate of Delivery of Payment of Aid (Form Ag, B1 231) relating to the warrant for the second month shall be completed and forwarded to the SDSW. The county official or other person delivering the warrant certifies on Ag, B1 231 to the day the applicant left the institution and the date the warrant was delivered.

When aid is restored following discontinuance because the recipient entered a county public institution Form Ag, B1 231 need not be submitted but the Notice of Change (Form Ag B1 232) shall show the date the recipient left the institution. When the Form Ag, B1 232 restoring aid is prepared in advance on the basis of the anticipated date when he will leave the institution, Form Ag, B1 231 shall be submitted as evidence that he left the institution on or prior to the effective date of the restoration.

The above procedure does not apply where a recipient of OAS, ANB, or APSB enters a hospital for temporary medical care and aid is continued. Warrants shall be delivered to such recipients after admittance to the institution in accordance with the rules in Sec. 164-10, Eligibility During Hospitalization. (See Sec. 612-99, Payment of Aid Forms.) (W&IC 2140, 2160, 2160.6, 3044, 3075, 3444, 3460; AGO NS4700)

(a) New policy to meet the situation wherein the applicant could not leave the institution until he had funds to make a living plan, but could not receive the payment until he had ceased to be an inmate.

TITLE 22-CH 2

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
January 17, 1950

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 391 (OAS, ANB)
January 10, 1950

These regulations were issued on the above date by the Director of the State Department of Social Welfare under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

a51:b65
Attachments

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950

At 11:20 a o'clock M.
FRANK M. JORDAN, Secretary of State
By [illegible] Deputy

Certified as a Regulation (or Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Myrtle Cline Williams

(Signature)

Director

(Title)

1-17-50

(Date)

Sec 4 of Art XXV

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 10, 1950

DEPARTMENT BULLETIN NO. 391 (OAS, ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Facsimile Signatures

When rubber stamp signatures are used on Forms 278, or on Ag Bl 201 or 232, the initials of the person affixing the stamp shall be written immediately below the stamped signature.

The person whose signature is being so affixed shall issue authority in writing to each person affixing the rubber stamp signature. It is this latter person whose initials must appear below the stamp.

The above applies to all OAS and SB authorized by a deputy director or employee of the State Department of Social Welfare.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950

At 11:20 a o'clock M.
FRANK M. JORDAN, Secretary of State
By _____ Deputy

TITLE 22 - CH. 2

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare

(Name of State Agency)

(Signature)

Director

(Title)

1/16/50

(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 17, 1950

DEPARTMENT BULLETIN NO. 392 (FISCAL)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Plan for Loan of Equipment

The State Department of Social Welfare, with the approval of the State Department of Finance, will loan equipment to the counties. The duration of the loan will be determined by the State Department of Finance.

The procedure for determining and requisitioning the kind, type and amount of equipment to be loaned is as follows:

1. The estimated equivalent full-time employees in the OAS and ANB programs for June 1950 will be agreed upon between the State Department of Social Welfare and the county. The county shall submit a statement, on Form Temp 163 attached, of the equivalent full-time employees utilized by the county in the Old Age Security and Aid to the Needy Blind programs in November 1948. The latter number will be deducted from the former, and the State will make available, on a loan basis, required equipment for this difference, not to exceed the allowances as indicated on the attached "equipment allocation plan" chart.

2. In the selection of equipment to be made available to a particular county, the State Department of Social Welfare will first utilize the equipment in the State Department of Social Welfare district offices in the county itself. Of this equipment, the State Department of Social Welfare will first loan that equipment purchased by the county under its agreement with the State regarding the ministerial functions incident to the administration of the Old Age Security and Security for the Blind programs.

3. The method of determining the actual equipment to be made available will be as follows:

   The county shall submit a typed requisition, Form Temp 163, in duplicate (see attached sample) showing:

   (a) The additional number of equivalent full-time employees, by classification as determined in Item 1 above.

   The number in each classification shall be adjusted by the county to the nearest whole number. (1.5 workers = 2 workers)

   (b) The number of items of each kind of equipment desired for the number of equivalent full-time employees in each classification. The number of items so requested shall be within the allowance indicated on the attached chart.

   (c) Other items of equipment indicated on the chart, but not computed on the basis of the number of persons. The number of items so requested shall not exceed the allowances on the chart.

4. In making necessary substitutions for requested equipment the State Department of Social Welfare will first substitute the nearest equivalent from the property purchased by the county under its agreement with the State.

5. Requisitions as described above shall be submitted by the county to the State Department of Social Welfare Central Office on or before February 6, 1950. On or before February 20, 1950, the State Department of Social Welfare, after obtaining approval of the State Department of Finance, will notify the county of the descriptions and locations of the equipment to be loaned. A definite date for pick-up of equipment will be arranged for. Similar lists will be forwarded at the same time to the State Department of Social Welfare office in which the equipment is located. It is the responsibility of the county to accomplish the physical transfer of the equipment. An authorized representative of the county shall sign a receipt for the equipment so loaned.

6. Equipment needed by the county for personnel above the November 1948 level, as determined in Item 1, and which is not on the attached chart may be requisitioned by the county on Form Temp 163. The State will approve reimbursement for the cost of such equipment on the following basis:

   (a) The county shows an urgent need for the equipment
   (b) None of the equipment which the State has available will serve the purpose of the equipment requisitioned.
   (c) Reimbursement from State funds will be allowed as an amortization charge, based upon Bureau of Internal Revenue Circular Bulletin F, page 52, Revised January 1942.

7. Automobiles may be requisitioned on the basis of county practice in providing vehicles for case workers. However, in no event will the State Department of Social Welfare approve requests for any number of cars in excess of one car for each three case-carriers above the November 1948 level.

8. No charges to the OAS and ANB program shall be made for any equipment unless approval from the State is obtained.

9. Individual arrangements in general accord with the policy as above expressed shall be made with those counties currently operating under an agreement with SDSW for the administration of the OAS and ANB programs.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

STATE DEPARTMENT OF SOCIAL WELFARE

JANUARY 1, 1950

EQUIPMENT ALLOCATION PLAN

	1660F DESK F/T 60" GR 1 OR 2	3257 CHAIR SWVL W/ARM	1450F DESK F/T 50"	2125 CHAIR SWVL WO/ ARM	1660FC L OR R DESK T/WPED 60"	1450TFB DESK T/W FIXED-BED 50"	2123 CHAIR STENO POS-TURE	2034 CHAIR LEG WO/ARM STRAIGHT	2123HB CHAIR HIGH-BACK	1450TD TABLE 1-DR 50"	1660TD TABLE 1-DR 60"	5505C FILE 5-DR LEGAL	5505L FILE 5-DR LETTER	3352 FILE 5 x 3 2-DR SECT.	VISIBLE IN-AND-OUT FILE	SHEL-VING UNITS	CHAIR LEG W/ARM BUCK STAFF	6V-KLD KLER-A-DESK	83-C FILE 5 x 3 CARD (BOX)	TYPE WRITER	WAX OR TRANS-CRIBER	PLASTIC DICTA-TOR	CAMEO SHAVING MACHINE	CLARY A-4 ADDING MACHINE
DISTRICT MANAGER	1	1						4					1											
SOCIAL WORK SUPERVISOR, GR 2	1	1						4					1											
SOCIAL WORK SUPERVISOR, GR 1	1	1						2				1						1				1		
SOCIAL WORKER (CASE WORKER) GR 3			1	1								3-DR							1			1/4		
SOCIAL WORKER (CASE WORKER) GR 2			1	1								3-DR							1			1/4		
SOCIAL WORKER (CASE WORKER) GR 1			1	1								3-DR							1			1/4		
SUPERVISING CLERK, GR 1	1			1														1						
SENIOR CLERK	1			1														1						
SENIOR STENOGRAPHIC CLERK					1		1											1		1				
SENIOR FILE CLERK					1		1											1		1				
SENIOR PROPERTY AND RESOURCES WORKER	1			1														1						
SENIOR INFORMATION CLERK	1			1														1						
SENIOR TYPIST CLERK					1		1											1		1				
INTERMEDIATE CLERK			1	1																				
INTERMEDIATE TYPIST CLERK					1		1													1				
INTERMEDIATE TYPIST CLERK (TIME)					1		1													1				
INTERMEDIATE TYPIST CLERK (FILE)					1		1													1				
INTERMEDIATE FILE CLERK					1		1													1				
INTERMEDIATE STENOGRAPHIC CLERK					1		1													1				
INTERMEDIATE INFORMATION CLERK	1								1															
PROPERTY AND RESOURCES WORKER	1			1																				
JUNIOR STENOGRAPHIC CLERK					1		1													1				
JUNIOR TYPIST CLERK						1	1													1				
JUNIOR CLERK	1			1																				
TELEPHONE OPERATOR															1									

DEPENDENT ON SIZE OF OFFICE MINIMUM 2

AVAILABLE FOR WAITING ROOMS

1 FOR EVERY 3 INDIVIDUALS DICTATING

ONE PER OFFICE USING WAX

ONLY IN OFFICE HAVING SUPERVISOR GR 1

5505L FILE DEPENDENT ON SIZE OF OFFICE. SMALL OFFICES MAY NEED NONE.

5505C FILE FOR CLOSED CASES. 20% OF CASE LOAD. 60 CASES PER DRAWER.

3352 FILE FOR INDEX, REGISTRAR AND REINVESTIGATION. 3 TIMES INTAKE SINCE 1/1/49. 1800 CARDS PER FILE. SMALL OFFICES MAY NOT NEED AS MANY AS 3.

POSTAL GUIDE	TRINNER SCALE AIRMAIL	DICTIONARY	PEN SET BLACK	DESK TRAY	STAPLER & REMOVER	PUNCH 2-HOLE	WASTE BASKET	CALENDAR STAND	DEXTER B PENCIL SHARPENER	HEATERS	LAMPS	SOUND SCRIBER STANDS	WAX CYLINDERS	B440 INDEX PADS DICTA-PHONE	FL30 PLASTIC DISCS	IS30 INDEX STRIPS (AUDIPHONE)
1 PER OFFICE	1 PER OFFICE	1 PER 25 PERSONS	1 PER PERSON	2 PER PERSON EXCEPT STENO POOLS	1 PER 2 PERSONS	1 PER 8 PERSONS	1 PER PERSON	1 PER PERSON	1 PER 25 PERSONS	AVAILABLE ONLY IN CERTAIN COUNTIES		AVAILABLE IN LOS ANGELES ONLY	10 WAX CYLINDERS AND 12 INDEX PADS PER PERSON DICTATING (Order in multiples of 50 only.)	12 INDEX PADS PER PERSON DICTATING (Order in multiples of 50 only.)	30 DISCS PER PERSON DICTATING (Order in multiples of 50 only.)	500 INDEX STRIPS PER PERSON DICTATING (Order only in multiple of 50.)

State of California | Department of Social Welfare

To be TYPED and submitted in DUPLICATE
to State Department of Social Welfare,
616 K Street, Sacramento 14, California

Do not describe equipment further than, "desk," "chair," "typewriter," "5-dr. Legal File," etc.

From _____ County

_____ Signature _____ Title _____ Date

No. full time employees as of November 1948 _____
No. full time employees as of June 1950 _____

REQUISITION TO STATE DEPARTMENT OF SOCIAL WELFARE
FOR LOAN OF STATE OWNED FURNITURE AND EQUIPMENT.

No. of Employees	Your County's position classification	Furniture and/or Equipment requested No. units	Description
3	Sr. Social Worker	3 3 2	Desks Chairs 5-dr. Legal Files
2	Sr. Steno Clk. # "	2 2 2 2	Desks Chairs Typewriters Kler-A-Desks
5	St. Steno Clk. # 1	5 5 5	Desks Chairs Typewriters
2	Receptionist	2	High-back Chairs

Over-all Equipment Requested

Justification
The addition of 3 Social Workers will require dictating equipment for correspondence and proper keeping of case records. Present dictating equipment is wax.

1	Dictator (wax)
1	Transcriber

Temp 163

Page No._____

State of California

Department of Social Welfare

To be TYPED and submitted in DUPLICATE
to State Department of Social Welfare,
616 K Street, Sacramento 14, California

Do not describe equipment further than, "desk," "chair," "typewriter," "5-dr. Legal File," etc.

From_____County

Signature	Title	Date

No. full time employees as of November 1948 _____
No. full time employees as of June 1950 _____

REQUISITION TO STATE DEPARTMENT OF SOCIAL WELFARE
FOR LOAN OF STATE OWNED FURNITURE AND EQUIPMENT.

No. of Employees	Your County's position classification	Furniture and/or Equipment requested	
		No. Units	Description

Temp 163, January 1950

TITLE 22 - CH 2

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare

(Name of State Agency)

Myrtle Cline Williams

(Signature)

Director

(Title)

1/16/50

(Date)

WIC 103, 2140

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

FILED
In the Office of the Secretary of State
of the State of California

January 16, 1950

JAN 18 1950
At 11:20 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

DEPARTMENT BULLETIN NO. 388-B (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Old Age Security Recipients Reaching Age 65 on or Before March 1, 1950

The provisions of this bulletin affect only those administrative units for which Old Age Security payments are disbursed by the State Controller.

Age evidence available after return of the coded list to the State Controller (Department Bulletin 383) may establish that Old Age Security recipients presently receiving security in the "under 65" classification will have reached the 65th birthday on or before March 1, 1950. In order to prevent discontinuance of aid to such persons (they will appear on the basic list to be certified by the State Department of Social Welfare and transmitted to the county as ineligible, such designation being made by Code 3 or 4) the following procedure shall apply:

Local Office - Prepare Form Ag 278 in triplicate showing the March payment data in Column 6. No entry is made in columns 1 through 5. In Item 19 enter the 65th birth date and if that date is prior to March 1, 1950, make the following entry: "Regional Office - fund adjustment necessary." Circle that entry on the original copy with red pencil.

Transmit the third copy of the Ag 278 to the county as a supplemental certification (Bulletin 388, page 4, item b, 2, and page 7, item b, 2). Forward only the original copy of the Ag 278 to the regional office.

Regional Office - The original copy of the Ag 278 will not be transmitted to the State Controller. The regional office shall initiate the appropriate fund adjustment on Form Gen 108 in order that federal participation may be claimed in payments for February and earlier months.

In Item 19 the regional office shall make a notation that a fund adjustment was initiated specifying the specific months involved. The original copy of the Ag 278 shall be filed in the case document file.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

TITLE 22 - CH 2

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
January 16, 1950

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950

At 11:30 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 388A (Preparation of Form Ag, Bl 278 on and After January 10, 1950, Decreases and Increases)
DEPARTMENT BULLETIN NO. 388B (Old Age Security Recipients Reaching Age 65 on or Before March 1, 1950)
DEPARTMENT BULLETIN NO. 392 (Plan for Loan of Equipment)
DEPARTMENT BULLETIN NO. 393 (Estimates and Advances)
DEPARTMENT BULLETIN NO. 394 (Rules and Regulations Effective March 1, 1950 - Old Age Security, Aid to Needy Blind and Aid to Partially Self-supporting Blind Residents)

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 2140, 3075, and 3460 on January 13, 1950, for the purpose of implementing Article XXVII of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, and operative on March 1, 1950, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare

(Name of State Agency)

Myrtle Cullinan

(Signature)

Director

(Title)

1/16/50

(Date)

W+I C 103, 2140, 3075

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

January 10, 1950

FILED
In the Office of the Secretary of State
of the State of California

JAN 18 1950

At_____o'clock_____M.
FRANK M. JORDAN, Secretary of State
By_____ Deputy

DEPARTMENT BULLETIN NO. 388-A (OAS, SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Preparation of Form Ag, Bl 278 on and After January 10, 1950, Decreases and Increases

The provisions of this bulletin affect only those administrative units for which OAS and SB payments are disbursed by the State Controller.

As provided in Bulletin 388 (page 4, Item 2, and page 7, Item 2) the earliest date to be shown in Column 6 on Form Ag, Bl 278 prepared on and after January 10, 1950, is March 1, 1950. Therefore, on and after January 10 it is not possible to authorize a decrease to be effective February 1, 1950. Any resultant overpayment which will occur in February together with the overpayment which occurred in January, if any, shall be considered in determining the March 1, 1950, payment to be shown in Column 6. A statement of the specific action to be taken in March by the county board of supervisors relative to increase in the April payment shall be included in the case record. The case record shall be clearly identified and brought to the county's attention as one calling for priority action in March.

Increases to be effective in February shall be handled as supplemental payments and the payment data for February will be entered in Column 4. In Column 6 will be entered the data for the March 1950 payment.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

TITLE 22-CH 5

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
January 16, 1950

ADDRESS REPLY TO:

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950
At 11:20 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare.

Manual	Section	105-20	Limitations on Age
"	"	106-00	Proof of Age Required in OAS
"	"	107-10	Conflicting Evidence of Age
"	"	107-20	Year Only Given in Evidence
"	"	131-00	Determination of Ownership of Real Property
"	"	131-18	Ownership of Real Property by Separated Spouse
"	"	132-00	Limitation on Assessed Value of Real Property
"	"	132-30	Determination of Assessed Value of Real Property
"	"	135-00	Transfer of Real Property to Qualify for Aid
"	"	135-40	Real Property Search (Deleted)
"	"	135-60	Investigation of Transfer of Real Property
"	"	143-75	Determination of Value of Automobiles, Trucks, and Other Vehicles
"	"	151-70	Net Income From Subrental of Rooms
"	"	152-10	Occupancy Value of Homes Owned by Recipients
"	"	157-05	Provisions of W. & I. Code Regarding Determination of Amount of Grant in APSB
"	"	157-15	Method for Determining the Amount of Grant in APSB
"	"	162-05	Eligibility of Public Institution Inmates and Parolees
"	"	250-10	Reporting Action of the Board of Supervisors to Applicant
"	"	351-15	Reinvestigation of Real Property
"	"	361-22	Investigation of Conditional Restoration
"	"	361-25	Retroactive Aid Payments by County
"	"	362-25	Change in Need or Income - No Change in Grant (Deleted)
"	"	610-60	Payment to Inmate of Public Institution
"	"	610-70	Certification of Payment After Release of Inmate From County Institution

These regulations were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Sections 103, 2140, 3075, and 3460 on December 29, 1949, or January 13, 1950, for the purpose of implementing Article XXVII of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, and operative on March 1, 1950, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

TITLE 22 - CH. 2

MAIN OFFICE
SACRAMENTO
616 K STREET
14

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948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

ADDRESS REPLY TO:

Sacramento 14
January 17, 1950

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of regulations issued by the State Department of Social Welfare with Manual Letter No. 136.

This material was previously filed with your office on January 16, 1950. It is now being sent to you in manual form.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b65
Attachments

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950

At 11:22 o'clock A M.
FRANK M. JORDAN, Secretary of State
By [illegible] Deputy

Certified as a Regulation (or Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Cullen
(Signature)

Director
(Title)

1-17-50
(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

January 17, 1950

MANUAL LETTER NO. 136

The attached revisions are to be entered in your Manual of Public Assistance Policies and Procedures and the revision numbers added (if necessary) and canceled on the separators of the revised chapters. The revision numbers are as follows:

Age	Revisions 21 through 23
Real Property	Revisions 81 through 88
Personal Property	Revisions 88 and 89
Income	Revisions 69 through 72
Amount of Grant	Revisions 150 and 151
Institution Inmates	Revision 49
Investigation and Decision	Revision 211
Continuing Services	Revision 221 through 229
Financial Procedures	Revision 471

These revisions were adopted by the Social Welfare Board on December 29, 1949, or January 13, 1950, and are to become effective immediately and operative on March 1, 1950*.

Secs. 105-20, 106-00, 107-10, and 107-20 have been revised with respect to the establishment of age.

Secs. 131-00, 132-30, 135-00, 135-60, and 351-15 have been revised and Sec. 135-40 deleted to eliminate the mandatory routine property search.

Sec. 131-18 has been revised to show the current maximum real property limitation.

Sec. 132-00 as revised provides that in ANB community real property of the spouse shall be considered together with that of the applicant or recipient in the $3,500 real property limitation.

In Sec. 143-75 the scale for determining the value of a motor vehicle has been revised.

Secs. 151-70 and 152-10 provides a revised method for the determination of net income from rentals and sub-rentals.

(Continued on next page)

* Although manual pages revised on December 29, 1949, and January 13, 1950, are marked "Effective March 1, 1950," all revisions made on these two dates are to be effective immediately (i.e., on issuance) and operative on March 1, 1950.

Secs. 157-05 and 157-15 have been revised to conform with the $85 maximum grant in APSB.

Secs. 162-05, 610-60, and 610-70 as revised provide that an applicant who is an inmate of a public institution may receive his first payment while still in the institution.

Sec. 250-10 has been revised to provide that in ANB Form Bl 239, Notification of Action by the Board of Supervisors, shall include the source of income and amount of deductions if aid is granted in less than the maximum amount, and the amount of total need if total need is determined to be in excess of the statutory maximum grant.

Sec. 361-25 has been revised to provide for the mandatory payment of retroactive aid during the current adjustment period. Sec. 361-22 has been revised in accordance with this provision and to include the current maximum grants.

Sec. 362-25 has been deleted. On Forms Ag, Bl 232, the item in Section I entitled "Change in Need or Income - No Change in Grant" need no longer be completed. Forms Ag, Bl 232 are not being revised concurrently with the issuance of this Manual Letter but will be revised at a later date.

105-20 LIMITATIONS ON AGE 105-20
OAS, ANB, APSB

The age of the applicant is a factor in determining his eligibility in all aids.

An applicant for OAS is not eligible for aid until he has reached his 65th birthday. Aid may not be granted prior to the day and month as well as the year when the age of 65 is reached. (W&IC 2140, 2160)

In ANB and APSB, aid may not be granted until the applicant has completed his 15th year and reached his 16th birthday. Aid may not be granted prior to the day and month as well as the year when the age of 16 has been attained. (W&IC 3040, 3041, 3075, 3430, 3431, 3460)

106-00 PROOF OF AGE REQUIRED IN OAS 106-00
OAS

The fact that the applicant has attained the age of 65 must be established in OAS. It is not necessary to establish his exact age except when the applicant reached the age of 65 within the current year (see Sec. 107-20). (W&IC 2140, 2160)

106-05 PROOF OF AGE REQUIRED IN ANB AND APSB 106-05
ANB, APSB

If an applicant for ANB or APSB is 21 years of age or over, the applicant's sworn statement as it appears on the application is considered sufficient evidence of age.

If the applicant states he is less than 21 years of age, verification must be obtained that he is over 16 years of age. (W&IC 3040, 3041, 3075, 3430, 3431, 3460.)

106-15 PROOF OF AGE REQUIRED IN ANC 106-15
ANC

The age of the child for whom application is being made must be verified in ANC. In order that aid may not be delayed for children who are obviously under 18 years of age, an affidavit may be secured from the mother, relatives or person in loco parentis as provided in Sec. 109-30, Affidavit of Individual as Age Evidence. (W&IC 1522, 1560)

105-00 PROVISIONS, W.& I. CODE REGARDING AGE 105-00

OLD AGE SECURITY	AID TO NEEDY BLIND AID TO PARTIALLY SELF-SUPPORTING BLIND RESIDENTS	AID TO NEEDY CHILDREN
AID SHALL BE GRANTED TO ANY PERSON WHO HAS ATTAINED THE AGE OF 65 YEARS PROVIDED HE MEETS ALL THE OTHER ELIGIBILITY REQUIREMENTS OF THE OAS LAW. (W&IC 2160) ANY OF THE FOLLOWING DOCUMENTS SHALL BE SUFFICIENT PROOF OF THE AGE OF AN APPLICANT: A. CERTIFICATE OF BIRTH; B. CERTIFICATE OF BAPTISM; C. STATEMENT OF AGE AS RECORDED ON MARRIAGE LICENSE OR CERTIFICATE; D. STATEMENT OF AGE OF THE APPLICANT AS SHOWN BY THE RECORD OF REGISTRATION OF VOTERS IN ANY POLITICAL SUBDIVISION OF THIS STATE, AT LEAST FIVE YEARS PRIOR TO THE DATE OF SUCH APPLICATION; E. ENTRIES IN A FAMILY BIBLE OR OTHER GENEALOGICAL RECORD OR MEMORANDUM OF THE FAMILY OF SUCH APPLICANT; F. THE RETURNS OF THE UNITED STATES CENSUS TAKEN AT LEAST FIVE YEARS PRIOR TO THE DATE OF SUCH APPLICATION; G. THE AFFIDAVIT OF A REPUTABLE PERSON IF IT IS BASED UPON HIS PERSONAL KNOWLEDGE OF FACTS WHICH WOULD DETERMINE THE PROBABLE AGE OF THE APPLICANT AND IS NOT MERELY A STATEMENT OF BELIEF BASED ON APPLICANT'S PERSONAL APPEARANCE; SUCH AFFIDAVIT SHALL CONTAIN STATEMENTS OF THE CIRCUMSTANCES UPON WHICH SAID AFFIANT'S KNOWLEDGE IS BASED; H. SUCH OTHER EVIDENCE AS THE SDSW MAY APPROVE. (W&IC 2162) APPLICATION FOR AID MAY BE MADE WITHIN 60 DAYS PRIOR TO THE DATE ON WHICH THE APPLICANT WILL ATTAIN THE AGE OF 65 YEARS. THE APPLICATION SHALL BE PROMPTLY INVESTIGATED AND ACTED UPON. IN NO EVENT SHALL THE AID BE COMMENCED AS OF A DATE PRIOR TO THE DATE ON WHICH THE APPLICANT ATTAINS THE AGE OF 65 YEARS. (W&IC 2180.1)	A PERSON IS ENTITLED TO RECEIVE ANB OR APSB IF HE IS 16 YEARS OF AGE OR OVER PROVIDED HE MEETS ALL THE OTHER ELIGIBILITY REQUIREMENTS OF THE ANB OR APSB LAWS. (W&IC 3040, 3041, 3430, 3431)	NO CHILD OVER THE AGE OF 18 YEARS IS CONSIDERED A NEEDY CHILD WITHIN THE PROVISIONS OF THE ANC LAW. (SEE SEC. 105-20, LIMITATIONS ON AGE) (W&IC 1522, 1552.3)

107-10 CONFLICTING EVIDENCE OF AGE 107-10
OAS

A record of the age, or birth date, of an individual is usually made at different periods in his life and for varying purposes. In general, no one record, with the possible exception of a birth certificate recorded approximately at the time of the applicant's birth, conclusively establishes beyond doubt an individual's exact age.

The county must reconcile any conflicts which appear in various pieces of evidence offered to establish age. In cases of conflicting evidence, a preponderance of evidence is accepted.

The decision as to age eligibility is not based alone upon the number of pieces of evidence which support or refute the applicant's contention that he has reached the required age. Rather, the relative merit of the various pieces of evidence must be considered in order to determine which evidence has greater validity. A single document such as a baptismal certificate may outweigh several other pieces of evidence. On the other hand, two or three items which corroborate each other may be more conclusive than a single piece of evidence of intrinsically greater validity which is not supported by any other data. When two or more pieces of evidence of approximately equal value conflict as to the month, day and year of birth, but one is supported by the applicant's present sworn statement of his birth date, the evidence which agrees with his statement shall be used. Often it is ncessary to secure additional evidence and to evaluate this in the light of evidence already available.

In general, when conflicting evidence is presented, the older evidence is preferred, as there is less likelihood that age was misstated in order to qualify for aid. Greater weight is, in general, given to documentary evidence of an official or semi-official character than to evidence from personal records.

When there is conflict between the applicant's sworn statement and competent evidence, decision must rest upon the facts as established by the evidence. (W&IC 2140)

107-30 SOURCES OF AGE EVIDENCE 107-30
OAS, ANB, APSB, ANC

Birth records are usually available for applicants in ANB or APSB under the age of 21 and for children in ANC for whom application is being made.

In OAS, it is often impossible to secure birth records, as such registration is relatively recent in many states. Other sources for proving age are therefore frequently utilized.

There are many sources of age evidence. The sources discussed in the following sections have proved valuable but their use does not remove the need for resourcefulness and careful judgment on the part of the county.

The most accurate record, not the most easily available one, should be used in establishing age. Documentary evidence from a public or official record may be more accurate than evidence from personal records. Due consideration should be given to the age of the evidence in evaluating data.

Voter's registration and census records must be five years old according to the provisions of the law. (See Sec. 107-00, Age of Acceptable Age Evidence.)

A personal affidavit is used when reasonable effort to secure documentary evidence has been unproductive. When a personal affidavit is accepted, the county record must show that all reasonable clues pointing to the existence of documentary evidence have been followed. The personal affidavit must contain an adequate statement of the facts upon which the affiant's knowledge of the applicant's age is based. (W&IC 1560, 2140, 3075, 3460)

107-40 BIRTH CERTIFICATE AS AGE EVIDENCE 107-40
OAS, ANB, APSB, ANC

The possibilities of verifying age from birth certificates are necessarily limited for applicants for OAS as adequate registration of births is of recent origin in the United States. For a large proportion of the persons now 65 years of age, or over, there are no official birth certificates. (See Sec. 107-51 for use of delayed or corrected birth certificates.)

Some states have recorded births and issued birth certificates on the basis of the person's own affidavit as to his birth date. If the birth certificate bears the official stamp and is beyond question an authentic document from some state or county, the birth record must necessarily be accepted unless there is reason to believe that fraud has been perpetrated on the part of the applicant or any other person.

In most states, an affidavit from the physician or midwife, the mother, or someone who was present at the time of the birth, other than the person concerned, may be used in securing an official birth certificate.

Careful check should be made to be sure that the name which appears on the birth certificate or other document used to prove age is the same as that on the application, or, in the case of a married woman applicant, is the same as her maiden name. If the birth certificate does not give the first name

(Section Continued on Next Page)

107-20 YEAR ONLY GIVEN IN EVIDENCE 107-20
OAS

If the applicant's sworn statement of the birth date on the application indicates age 66 or over and the year of birth recorded in the evidence establishes age 66 or over, the month and day of birth need not be established.

In all other cases age is established as follows:

1. If evidence to establish the specific birth date is not available, the applicant's sworn statement of the month and day of birth is accepted provided there is evidence which eitherestablishes the year of birth or supports the applicant's statement of the year of birth.

   Example 1: The applicant gave his birth date as 8/19/84 when the application was signed. The only available age evidence is a marriage certificate dated 4/20/10 giving age as 25. A person born in August 1884 would have been 25 in April 1910, but would have reached the 26th birthday in August 1910 (indicating 1884 as the birth year). Thus there is no conflict between the evidence and the applicant's statement that he was born in 1884 and the verified birth date is considered to be 8/19/84.

2. If the evidence indicates the birth year was earlier than shown by the applicant's statement on the signed application, the birth date shall be established by the statement on the application except when positive evidence such as a birth or baptismal record recorded when the applicant was a child refutes the applicant's present statement of his birth date.

   Example 2: The birth date as stated on the application is 2/15/85. An insurance policy issued 4/20/20 shows age 36. This would indicate that the applicant was born prior to 2/15/85 and is older than he now claims. He would not be considered to reach his 65th birthday until 2/15/50.

3. If the evidence indicates the birth year was later than shown by the applicant's statement on the signed application, the birth year shall be established by the evidence. The applicant's statement on his application of the month and day of birth shall be accepted unless there is positive evidence to refute it.

   Example 3: The birth date as stated on the application is 3/29/83. A marriage record dated 4/2/08 gives age as 23 which indicates the birth year was not later than 1885. No evidence refutes the applicant's statement that the month and day of birth was 3/29 and since the evidence establishes 1885 as the year of birth the verified birth date is considered as 3/29/85. He would not reach his 65th birthday until 3/29/50.

4. If the applicant does not know his birth date but it is possible to secure verification of his year of birth, July 1 shall be assumed to be the month and day of birth unless the evidence used to prove the year of birth indicates the month and day of birth were prior to July 1, in which case the month and day as established by the evidence shall be used.

   Example 4: The applicant believes he is over 65 but does not know his birth date. A marriage license issued 10/21/09 shows age 24 and establishes the birth year as not later than 1885. Since the applicant claims not to know his birth date, it is assumed to be 7/1/85. (Had the marriage license showing age 24 been issued on 4/11/09, the birth date would be considered to be 4/11/85.) (W&IC 2140)

131-05 OWNERSHIP OF REAL PROPERTY 131-05
OAS, ANB, APSB, ANC

The term "owner" includes all persons who hold legal title to property. It also includes the vendor (i.e., the seller) and the vendee (i.e., the buyer) of real property under a contract of sale.

Property is considered owned if it is held

1. Clear of all indebtedness;
2. Subject to mortgage, deed of trust, etc.
3. Subject to sale to another party under contract of sale,
4. Subject to purchase from another party under contract of sale;
5. As a homestead,
6. In an undistributed estate provided the property is in fact available prior to distribution;
7. In OAS, under lease for a period of not less than ten years and used for a place of residence of the lessee (W&IC 1521.5, 2163.1, 2163.5, 3448; CC 678; AGO NS 704, NS 778, NS 1469, NS2387, NS4943)

Real property may be owned:

1. As separate property;
2. As community property;
3. In joint tenancy;
4. In tenancy in common,
5. In a partnership;
6. By a corporation (CC 669 ET SEQ.)

In ANB and APSB the proceeds from involuntary conversion of real property into personal property by a recipient of aid shall be considered real property for one year from the time of their receipt. (SEE SEC. 146-00, CONVERSION OF PROPERTY) (W&IC 3047.3, 3447.3)

130-25 REAL PROPERTY VS. PERSONAL PROPERTY 130-25
OAS, ANB, APSB, ANC

In considering eligibility from the point of view of property, the county must first determine whether property is real or personal. The general distinction has been made that real property is immovable while personal property is movable. For purposes of OAS, however, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property. (W&IC 1560, 2140, 2163.7, 3075, 3460; GC 657)

131-00 DETERMINATION OF OWNERSHIP OF REAL PROPERTY 131-00
OAS, ANB, APSB

Ownership of real property shall be verified to establish that property holdings are within the limitations established in the code for the particular category of aid. The statement of the applicant is acceptable in the absence of conflicting evidence. (See Sec. 131-05, Ownership of Real Property.)

If a search of current property rolls is necessary, such search may indicate ownership of property which does not belong to the applicant. In the absence of conflicting information, an affidavit of the applicant stating that he is not the owner of the property in question is acceptable. Proof that he is not the owner is necessary in cases of conflicting information. The affidavit of an applicant regarding recent disposal of property is not in itself proof of eligibility. It is subject to verification. (W&IC 2140, 3075, 3460)

131-18 (Continued) 131-18

The property laws of the state in which such property is located govern in determining that the applicant does or does not have an interest in it. If the applicant claims to have no interest in real property of a non-resident spouse from whom he has been separated for five years the county shall determine whether the applicant has a present legal interest in such property.

Determination of an applicant's interest in property belonging to a separated spouse is not necessary if the county assessed valuation of such property is known and when its value, together with all real property owned, does not exceed $3,500 after encumbrances thereon have been deducted. (W&IC 2140, 2165, 2165A; AGO NS5202)

132-00 LIMITATION ON ASSESSED VALUE OF REAL PROPERTY OAS, ANB, APSB 132-00

The current county assessed value of real property shall be taken into account in determining eligibility, i.e., the value of real property as entered on the records of the assessor of the county in which the property is located. The actual value of real property or its salability is not a factor to be considered in determining assessed valuation for eligibility purposes. (AGO NS308)

In OAS, the assessed value of combined real property of applicant and spouse, less all encumbrances of record on such property, shall not exceed $3,500. For exception see Sec. 131-18, Ownership of Real Property by Separated Spouse.

In ANB and APSB, aid shall not be granted any person who owns personal or real property, or both, the county assessed valuation of which less all encumbrances of record on such property, exceeds $3,500.

In ANB, aid shall not be granted to any person who together with his spouse owns realproperty the county assessed valuation of which, less all encumbrances of record, exceeds $3500. If the spouse of the applicant or recipient owns separate real property, that ownership shall not affect the eligibility of the applicant for, or recipient of, ANB.

In California, county assessed value is presumed to be fifty per cent of the appraised value of real property. (W&IC 2140, 2165, 3047, 3075, 3447, 3460)

131-18 OWNERSHIP OF REAL PROPERTY BY SEPARATED SPOUSE 131-18
OAS

Real property located either within or without the state and belonging to a separated spouse shall not be considered in determining eligibility for OAS if all the following requirements are met:

1. The applicant is deprived of all legal interest in the property by a written property settlement entered into prior to the date of application for OAS.

2. The recipient and spouse have been living separate and apart continuously since the date of the property settlement.

If the applicant claims to have no legal right to the property of a separated spouse, the terms of any existing property settlement and the date of such settlement shall be determined. (AGO NS5202)

In the absence of any legal property settlement, real property located in another state and belonging to a spouse who has not been living with the applicant for at least five years is not considered in determining eligibility in OAS if all the following requirements have been met:

1. Such real property is located in another state.

2. It is the property of a spouse who is not a legal resident of California.

3. It is the property of a spouse with whom the applicant has not been living for at least five years preceding the application for aid. (It is the presumption that the applicant has not been living with the spouse within the last five years if they have not been members of the same household within that period.)

4. The applicant or the recipient has no present existing legal interest in the property.

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132-30 (Continued) 132-30

If the applicant states that no real property is owned either by himself or by a spouse whose property ownership would affect his eligibility, no further investigation is necessary with respect to real property currently owned, unless conflicting information arises.

If the applicant states that real property is owned either by himself or by a spouse whose property ownership would affect his eligibility, an investigation shall be made. If a tax statement is available, it may be used to determine the assessed value of the real property. If a tax statement is not available, a review of the records of the county assessor, tax collector, or recorder shall be made to determine the amount of real property holdings.

If inconsistent or conflicting information arises, a property search shall be made in the locality in which the property is located to determine ownership of property and, if property is owned, the county assessed valuation of property.

If there is a question regarding ownership of, or assessed valuation of, property in another county within the state and tax statements are not available, the county may request a property search by correspondence with the county welfare department in the county in which the property is located. If property is located outside the state, see Secs. 132-15, Assessed Value of Real Property Outside of State, and 132-20, Real Property Outside U. S.

The following are examples of real property ownership in which the assessed value shall be considered.

1. Separate property of a single person
2. Separate property of husband or wife
3. Separate property of a separated couple (in OAS); for exception see Sec. 131-18
4. Community property of a couple
5. Community property of a separated couple
6. Property held in joint tenancy
7. Property held in tenancy in common
8. An interest in an undistributed estate when the property is in fact available prior to distribution
9. Property purchased or sold under contract of sale (title not passing)
10. Property purchased under mortgage, deed of trust, etc. (AGO NS466, NS704, NS778, NS1715, NS2387, NS5202)
11. In ANB and APSB property involuntarily converted into personal property. The proceeds from such involuntary conversion shall be considered real property for a period of one year from their receipt. (See Secs. 141-00, Types of Personal Property, 146-00, Conversion of Property)(W&IC 3047.3, 3447.3)

Determination of eligibility with respect to real property includes not only the determination of property currently owned, but also the determination of transfer of property. (See Sec. 135-60, Investigation of Transfer of Real Property.) (W&IC 2140, 2165, 3047, 3075, 3460, 3447)

132-20 REAL PROPERTY OUTSIDE U. S. 132-20
OAS, ANB, APSB, ANC

When real property is located outside the United States, the assessed valuation shall be considered on the basis of rate of exchange in American dollars, regardless of manner by which other units of government determine the assessed value of such property. If, e.g., the Mexican Consul advised that property in Mexico was assessed at 1000 pesos and rate of exchange was 5 pesos to 1 dollar, the assessed value of the property would be $200.

To obtain information regarding real property located outside the United States, various sources are used. When no language barrier exists, the county may correspond with the unit of government or public official concerned. When a language barrier exists, inquiry is generally directed to an American Consul in the country concerned. The nearest representative of the other country may also be consulted.

During the present period of hostilities, continued ownership of real property located in countries actively at war, or in conquered or occupied areas, is in doubt and the value, if any, of the holdings can not be ascertained. When it is impossible to obtain reasonably positive evidence of eligibility or ineligibility with respect to real property located in such countries, it is the presumption that continued ownership is in doubt and that such property has no present value in determining eligibility. For the present, investigation of such holdings need not be pursued. Upon cessation of hostilities, investigation shall be made through the usual sources available in determining the value of real property in foreign countries, aid to continue during the investigation provided eligibility otherwise exists. (W&IC 1560, 2140, 3075, 3460)

132-25 INCREASE OR DECREASE IN ASSESSED VALUE OF REAL PROPERTY 132-25
OAS, ANB, APSB, ANC

Eligibility may be affected by an increase or a decrease in assessed value of real property.

The current assessed value is used in determining eligibility. (W&IC 1520, 1560, 2164, 2165, 3047, 3075, 3447, 3460)

132-30 DETERMINATION OF ASSESSED VALUE OF REAL PROPERTY 132-30
OAS, ANB, APSB

The county assessed value of all real property owned by the applicant and all encumbrances thereon of record shall be verified.

The county assessed value of all real property owned by the spouse of the applicant and all encumbrances thereon of record shall also be verified if it is a factor affecting the eligibility of the applicant. (See Sec. 132-00, Limitation on Assessed Value of Real Property).

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135-00 (Continued) 135-00

In arriving at the net income from property which is transferred or assigned the following shall be taken into consideration:

Interest payments
Taxes
Assessments
Insurance
Upkeep
All other necessary charges and expenses of every kind

It is the responsibility of the applicant, in so far as he is able, to give information to assist the county in determining whether a transfer of property of a value greater than the maximum set by law or a transfer which reduced the value of remaining property within the maximum was for the purpose of qualifying for aid.

Transfers which have not heretofore come to attention but which are revealed through reinvestigation or otherwise and which occurred in the past, should be evaluated in accordance with this policy. Thus this policy revision may be retroactive in its application.

Unless there is evidence that the contract is not enforceable, a transfer of real property, subject to the condition that the donee will provide full support for the donor for the remainder of his life, renders the donor ineligible as he has entered into a contract for life care. If an enforceable contract of this nature provides for less than full support, the amount provided shall be considered income. (W&IC 2007.5, 2140, 2160g, 3075, 3460; 20 Cal(2d) 865)

135-00 TRANSFER OF REAL PROPERTY TO QUALIFY FOR AID 135-00
OAS, ANB, APSB

No person is eligible for aid if a voluntary transfer or assignment of real property has been made for the purpose of qualifying for aid. If title passed by delivery of the deed more than two years preceding the date of application, it is the presumption, which may be refuted, that the transfer of title was made in good faith and not for the purpose of qualifying for aid. (See Sec. 135-60, Investigation of Transfer of Real Property.)

A transfer or assignment of real property of a value greater than the maximum set by law, or which reduces the amount of the property holdings to an amount within the maximum, is deemed to render the applicant ineligible unless there is an affirmative showing that the transfer or assignment was not made for the purpose of qualifying for aid. There is the presumption that such a transfer was made for the purpose of qualifying for aid, which presumption may be refuted only by factual evidence of intent which establishes beyond a reasonable doubt that the transfer or assignment was not in fact made for the purpose of qualifying for aid. (See Sec. 135-70, Determination of Reason for Voluntary Transfer of Property.)

A transfer or assignment of real property of a value less than the maximum set by law, or which does not reduce the property holdings to an amount within the maximum, shall not render a person ineligible unless there is an affirmative showing that the transfer or assignment was made for the purpose of qualifying for aid. There is the presumption that such a transfer was not made for the purpose of qualifying for aid, which presumption may be refuted only by factual evidence of intent, which establishes beyond a reasonable doubt that the transfer was in fact made for the purpose of qualifying for aid.

A transfer or assignment of income producing real property shall be deemed to render a person ineligible for aid if the net income from such property exceeds the maximum grant provided by law, unless there is an affirmative showing that the transfer or assignment of such income property was not intended by the grantor to qualify him for a greater amount of aid than that to which he would otherwise be entitled.

A transfer or assignment of income producing real property of a value less than the maximum set by law shall not render a person ineligible for aid, provided the net income from such property does not exceed the maximum grant provided by the law, unless there is an affirmative showing that the transfer or assignment of such income property was intended by the grantor to qualify him for a greater amount of aid than that to which he would otherwise be entitled.

(Section Continued on Next Page)

135-60 (Continued) 135-60

The consideration stated in the deed is often nominal and not the true consideration. The exact amount of the consideration cannot be determined from the recorder's records, but the number of revenue stamps attached to the instrument reveals the consideration within certain limits. A 55¢ revenue stamp is attached for each $500 of the consideration; e.g., three revenue stamps indicate a consideration of about $1500.

The date of transfer is considered to be the date of delivery of deed rather than the date of recordation or payment.

The case record shall show full details of the investigation. (W&IC 2007.5, 2140, 2160G, 3075, 3460)

135-60 INVESTIGATION OF TRANSFER OF REAL PROPERTY 135-60
OAS, ANB, APSB

If the applicant states that no transfer of real property has been made during the two years preceding application, his statement shall be recorded in the case record, and no further investigation with respect to transfer of real property is necessary, unless conflicting information arises.

If the applicant states that a transfer of real property has been made during the two years prior to application, or conflicting information regarding transfer of real property arises, a complete investigation shall be made in order to determine whether a transfer was made in order to qualify for aid. The factors which are to be taken into consideration, listed in Sec. 135-70, shall be determined. This information may be secured from documents in the applicant's possession. If the applicant cannot produce such documents or there is conflicting information, a search shall be made of the records of county assessor, tax collector, or recorder.

The recorder's records show the terms of the transfer, i.e., for a consideration, as a gift for love and affection, with retention of life estate, etc. Contracts, mortgages, or deeds of trust which have been recorded are also shown on these records.

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143-75 (Continued) 143-75

The foregoing table cannot be used to determine the value of new automobiles purchased within the current year. Likewise it cannot be used to determine the value of second hand cars previously registered in another state but bought by recipients during the current year. It is anticipated that such cases will be encountered infrequently. Should it become necessary to determine the market value under either circumstance notify the State Department of Social Welfare of the month within the current year in which the car was purchased and the amount of the vehicle license fee as shown on the white slip. The State Department of Social Welfare will then forward a statement of the market value to be used in determining eligibility.

When motor vehicles are being purchased under a contract of sale, the market value of the purchaser's equity, rather than the value of the vehicles, determines the personal property value of the vehicles. (See Sec. 144-00, Determination of Value of Personal Property Being Purchased Under Conditional Sale Contract.) (W&IC 2140, 2163, 3047, 3075, 3447, 3460)

143-75 DETERMINATION OF VALUE OF AUTOMOBILES, TRUCKS, AND OTHER VEHICLES OAS, ANB, APSB

143-75

The value of automobiles, trucks, motorcycles, etc., owned by applicants for, or recipients of, aid shall be considered in determining eligibility for OAS, ANB, and APSB. The value as determined from the license fee recorded on the State Motor Vehicle Department registration card shall be used.

The registration card issued by the Motor Vehicle Department must be carried in every motor vehicle which is taxed by that department. On the registration card (white slip) for passenger cars is recorded the registration fee ($6.00), and the vehicle license fee which varies in accordance with the value. The amount of the vehicle license fee appears in the space marked "V.L.F. Fee" on the second line above the space provided for the signature of the legal owner.

The registration card for trucks shows the registration fee, the truck weight fee, and the vehicle license fee. Use only that amount which is recorded in the space marked "V.L.F. Fee".

A schedule of the vehicle license fees and the values which they represent follows:

V.L.F.	Value of Vehicle	V.L.F.	Value of Vehicle
$ 1.00	$ 37.00	$ 13.00	$ 650.00
2.00	105.00	14.00	695.00
3.00	150.00	15.00	755.00
4.00	200.00	16.00	805.00
5.00	250.00	17.00	850.00
6.00	295.00	18.00	905.00
7.00	355.00	19.00	950.00
8.00	405.00	20.00	1000.00
9.00	450.00	21.00	1050.00
10.00	505.00	22.00	1095.00
11.00	550.00	23.00	1155.00
12.00	600.00	24.00	1205.00

Should it be necessary to determine the value of a motor vehicle the vehicle license fee for which is in excess of $24, add to $1205 that value in the foregoing table which is opposite the amount by which the vehicle license fee exceeds $24.

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151-80 INCOME FROM PURVEYING OF BOARD AND ROOM 151-80
OAS, ANB, APSB

In determining net income from board and room furnished by an applicant or recipient reasonable allowance shall be made for the cost of food provided and those expenses incident to the rental of the rooms. The difference between the amount of board and room paid and the expense represents the net income. The expenses will vary with the individual situation and a definite formula can not be provided which will fit all situations.

The recipient shall be requested to keep an account of his income and expenditures. It is his responsibility to make his records available to the county for verification of the net income.

See Secs. 151-70, Net Income from Subrental of Rooms, and 152-10, Occupancy Value of Homes Owned by Recipients, when the income received is from rental or subrental of rooms only. (W&IC 2140, 3075, 3460)

151-85 INCOME FROM BOARDERS AND OTHERS IN THE HOUSEHOLD 151-85
ANC

Net income to the family unit from boarders is considered in establishing need and determining the amount of the assistance payment in ANC. The method of determining the net amount is set forth in Sec.158-40, Determination of Income and Resources.

Net income from others in the household who are not members of the family budget unit is also considered. The method used for determining the net is set forth in Sec. 158-40. (W&IC 1560)

151-90 INCOME FROM CROPS OR LIVESTOCK 151-90
OAS, ANB, APSB, ANC

Net income from the sale of crops or other farm products represents income to be considered in the month in which it is received. Net income shall be determined by deducting the expenses which are incident to its receipt from the gross income. This does not include principal payments on encumbrances. Although income may not be prorated over a period equivalent to that in which it accrued, the expenses incident to receipt of the income may be averaged.

Due to the number and kind of products produced, the wide variation in the particular items of expense in connection with them, and the frequency with which the income is received, no method of determining net income can be prescribed which is applicable in all cases. The facts in the individual case shall be given consideration. The following expense items are among those which should be considered when applicable: Taxes, assessments, interest, water, seed, the cost of spraying, pruning, and other cultivation costs, food, wages, cost of necessary repair and minor replacement of equipment, etc.

Certain expenses such as taxes, assessments, etc., are determinable on an annual basis. It is recommended that such expenses be allowed on the basis of a fiscal period terminating prior to the receipt of the income. When the crop is such that the income is received semi-annually or at more frequent intervals the proportionate share of the annual expenses may be considered together with other expenses which is attributable to the production of the particular crop or product.

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151-70 NET INCOME FROM SUBRENTAL OF ROOMS OAS, ANB, APSB

151-70

The net return from subrental of rooms is income which shall be considered in determining the amount of the grant. Net income from subrental of rooms shall be determined as follows:

A. Rented House is Primarily Recipient's Home

The net income from subrental of rooms in a rented house, if such house is primarily the recipient's home, is determined by deducting from the gross rental income those expenses which are allocable to the roomers, i.e., extra cost of utilities, laundry, cost of replacement of linen or other equipment used in connection with the rental of rooms, etc. (If the applicant's or recipient's share of rent paid for the entire house is in excess of the basic rental allowance ($15), the amount in excess thereof represents special need provided adequate housing is not available at less cost within the community, a health condition requires close proximity to a medical or shopping center, or the employment of the recipient or his spouse makes proximity to the place of employment a factor.)

Example: A couple rent a house, no utilities included, for $40 a month or $20 each. The share of each is $5 in excess of the Basic Rental allowance ($15). They subrent a room and their gross rental income is $30 a month. The extra cost of utilities because of the roomer is determined to be $1.50 per month. There is no expense for laundry but the cost of replacement of linen, etc., is estimated at 50¢ a month. The net income from subrental of rooms is $28 or $14 each ($30 less $1.50 utilities and 50¢ replacements, divided by 2). Since adequate housing is not available in the community for less than $40 a month special housing need is established for each recipient in the amount of $5 a month. In the absence of other special need, the total need of each is $80 a month in OAS or $90 a month in ANB. Deducting the $14 income from total need results in a grant of $66 in OAS or $76 in ANB.

B. Rented House is Rooming House Operated Primarily as a Business Enterprise

Net income from the subrental of rooms in a large rented house occupied by the applicant or recipient, but operated primarily as a rooming house enterprise, is determined by deducting from the gross rental income the cost of extra utilities, replacement, services essential to the operation of the business, and the amount by which the rent paid for the property exceeds the basic allowance for rent (i.e., $15 for a single recipient or $30 for a couple). ("Special Need" for housing shall not be allowed in determining the recipient's total need if the rental of rooms is primarily a business enterprise.)

Example: A recipient rents a ten room house in order to operate a rooming house enterprise and pays $70 a month rent. She retains two rooms for her own use and subrents eight rooms. Gross rental received by the recipient is $20 a month for each room or a total of $160 a month. Extra utilities for roomers cost $20 a month, linen replacements $6, and housecleaning services $25. The recipient's rental payment of $70 exceeds the basic rental allowance of $15 by $55. Total expenses allocable to the roomers are $106 ($55 for rent, $20 utilities, $25 cleaning, and $6 replacements). Net income to recipient from rooming enterprise is $54 ($160 less $106). (W&IC 2140, 3075, 3460)

152-10 (Continued) 152-10

Two or more separate dwellings, one of which the recipient occupies, may be located on property owned by him. The value of occupancy of the one dwelling shall be determined by dividing the assessed valuation of the whole property by that fraction which represents the number of rooms in the occupied dwelling over the total number of rooms in all dwellings located on the property.

Example E: Property has front house of six rooms and rear cottage of three rooms which is occupied by recipient. Value of occupancy of rear cottage would be based on 3/9, or 1/3 of the total assessed value of the whole property. The net income from the rented dwelling shall be determined according to Sec. 152-00.

Farm or ranch homes are usually located on property consisting of a number of acres. In general, it shall be considered that one acre of the land is attached to the dwelling, and the value of occupancy shall be based on the assessed value of the dwelling and one acre of land.

Example F: Home consists of dwelling and 20 acres of orchard. Assessed value RE $1000, Imp. $300, total $1300. Value of occupancy would be computed on the assessed value of $350 (Imp. $300 + RE $\frac{\$1000}{20}$)

If an income is derived from the orchard the net income shall be computed in accordance with Sec. 151-90, Income from Crops or Livestock, and the taxes on the balance of the land ($\frac{950}{1300}$ or $\frac{19}{26}$ of taxes on whole property) is considered an expense and allowed in determining net income from that portion of the property.

(Section Continued on Next Page)

152-10 (Continued) 152-10

When a home is owned as community property each of the couple is responsible for one-half the encumbrance payment. Therefore, only one-half of the required monthly payment on the encumbrance (or on a contract of sale) is to be deducted from the value of occupancy as set forth in the table.

Example B: A home occupied by a couple is assessed at $1,350. The required monthly payment on a $300 encumbrance is $7.00 per month (principal and interest). The net value of occupancy for each of the couple is computed as follows:

Value of occupancy from table for unencumbered homes	$5.00
Less share of payments on encumbrance	3.50
Net value of occupancy	$1.50

Duplex dwellings usually contain two identical units. Therefore, the value of occupancy of one unit occupied by the recipient shall be based on one-half the assessed value of the whole property. The net income from the other unit shall be determined in accord with Sec. 152-00, Net Income from Real Property.

An apartment in a building owned by the recipient has a value of occupancy which is determined by dividing the assessed valuation of the whole property by the number of apartments. The net income from the other apartments is determined in accord with Sec. 152-00.

Example C: Apartment house of four comparable units is assessed for $2800. Net value of occupancy of one unit (occupied by recipient) is based on one-quarter of assessed valuation of the whole property.

If rooms (as distinct from apartments) in a home owned and occupied by the applicant or recipient are rented, the net value of occupancy, if any, and any net income from roomers shall be considered in determining the amount of the security payment. The net income from roomers shall be determined by deducting from the gross income from roomers the cost of extra utilities due to rental of rooms, any necessary laundry expense because of the roomers, and the cost of replacement of linens or other household equipment used in connection with the rental of rooms. If the monthly total cost of pro-rated taxes, insurance, the required encumbrance payments (principal and interest), if any, $2 monthly allowance for minor repair and upkeep (or the recipient's monthly share thereof), and the net occupancy value, if any, exceeds $15, the amount in excess of $15 shall be allowed as special need.

Example D: A recipient and his spouse own their own home and rent two rooms receiving $30 gross rental. The extra cost of utilities because of the roomers is determined to be $2.50 a month. The laundry cost for linen used by the roomers is estimated at $2 per month, and the cost of replacement of linen, etc., is estimated at $1 per month. The couple's net income from the roomers is $30 less $5.50 ($2.50 utilities, $2 laundry, and $1 replacement) or $24.50 ($12.25 each). The home is assessed at $1100 and is encumbered. The required monthly encumbrance payment is $18 and there is no net occupancy value. City and county taxes average $12 a month, insurance $1, and upkeep $2. The couple's total housing cost is $33 ($18 encumbrance, $12 taxes, $1 insurance, and $2 upkeep) or $16.50 each. This is $1.50 more than the basic housing cost for each recipient ($15) and therefore there is a special need for housing in the amount of $1.50 per month. In the absence of other special need the total need in OAS is $76.50 ($75 plus $1.50) or in ANB $86.50 ($85 plus $1.50). Deducting the $12.25 income from total need results in a grant of $65 in OAS ($64.25 increased to the next higher whole dollar) or $75 in ANB ($74.25 increased to the next higher whole dollar).

(Section Continued on Next Page)

152-20 INCOME FROM PERSONAL PROPERTY 152-20
OAS, ANB, APSB, ANC

Returns in the form of interest on money, bank or building and loan accounts, bonds, dividends upon stock, or other returns from personal property represent income. (SEE SEC. 150-50, TYPES OF CASUAL INCOME.)

Cash received as beneficiary of an insurance policy other than an insurance policy of the spouse and cash received on a periodic basis from an insurance policy owned by recipient (whether life, disability, compensation, or retirement insurance), represents income.

In OAS, ANB and APSB, income derived from personal community property shall be shared equally with the eligible or ineligible spouse. (W&IC 1560, 2140, 3075, 3460)

152-30 GENERAL RELIEF AS INCOME 152-30
OAS, ANB, APSB, ANC

If General Relief is granted to an applicant or appellant for OAS, ANB, APSB or ANC pending the determination of such applicant's or appellant's eligibility, the amount of GR so granted constitutes net income for the month within which it is received, and shall be taken into consideration in the computation of any retroactive or current grant of categorical aid for such month(s).

If GR is granted in order to enable a recipient to meet excess needs, the amount of GR constitutes income for the month within which it is received, to be related to the recipient's total needs for that month.

Emergency GR granted a recipient who has lost or spent his grant of categorical aid and given for the purpose of enabling a recipient to meet his basic needs for the remainder of the month, may be considered casual income, not subject to collection or adjustment. If it is not considered casual income it shall be treated as other income, with an adjustment to be made within the current adjustment period (see Secs. 351-10 and 351-50) or a repayment to be collected within the current adjustment period and to be reported to the SDSW in the same manner as other repayments of aid in accordance with Secs. 670-00 through 674-99. (W&IC 1560, 2140, 3075, 3460)

152-10 (Continued) 152-10

When the home is a part of business property such as chicken, dairy, or other ranching enterprise, and the assessed value of improvements (or buildings) in part belongs to the enterprise and in part to the dwelling, the portion of the assessed value of improvements to be considered as belonging to the home is left to the judgment of local authorities, unless allocation of assessed value of the dwelling can be secured from the assessor's records. Value of occupancy shall be computed on assessed value as with other homes.

Example G: The home is on a dairy ranch. The assessed value is RE $1000, Imp. $2000, Total $3000. Improvements consist of a small three-room dwelling and a large modern barn, dairy, etc., on 50 acres. It is determined by local authorities that the dwelling represents only $\frac{1}{4}$ of the value of all improvements. The assessed value of the dwelling shall be $500 + $20 (1 acre of land or $\frac{1000}{50}$ = $20) or $520.

If the home is part of an urban business property such as store building with apartment above, the assessed value of the portion used as the home shall be determined as above.

Homes on land owned by another may be assessed as personal property to the owner of the dwelling. Determine the value of occupancy in the same manner as for real property. Such homes may include cabins on Federal lands such as national forests, Indian reservations or allotments, land owned by a corporation or private land owned by another; etc.

If the dwelling is not assessed, the value of occupancy shall be based upon the appraised value in accord with the following table.

Value of Occupancy as Determined by Appraised Value

Appraised Value	Value of Occupancy
$500 or less	$3.00
501 - 799	4.00
800 - 999	5.00
1000 or over	6.00

If rent is paid for the land on which the dwelling rests, the value of occupancy is determined by subtracting the monthly land rent from the appropriate figure set forth in the foregoing table. (See Sec. 150-40, Definition of Casual Income and Inconsequential Resources.)

A makeshift shelter of negligible value may be considered as inconsequential resource. (W&IC 2020, 2140, 3075, 3084, 3460, 3472)

157-05 (Continued) 157-05

4. The value of gifts:

5. The value of the use and occupancy of premises owned and occupied by the applicant;

6. The net income from real and personal property owned by the applicant. Income in addition to the above specified shall be computed on the basis of net income.

Free board and lodging supplied to an applicant for APSB because of his necessity therefor, by a friend or relative who is not responsible for his support or who is financially unable to support him, shall not be a ground for refusing aid.

The county board of supervisors shall investigate, annually or oftener, the qualifications of the blind persons receiving aid under the provisions of this chapter and may increase or decrease the allowance within the limits prescribed in this chapter, or, if the board is satisfied that any person receiving such aid is not entitled thereto, it shall deny him further aid and shall forthwith notify the county auditor and the Chief of the Division for the Blind in the SDSW of such action. The person receiving aid however, shall have the right of appeal to the SSWB from such action. (See Secs. 151-30, Definition of Exempt Income in APSB, and 157-15, Method for Determining the Amount of Grant in APSB.)

Every person administering aid shall endeavor at all times to perform his duties in such manner as to secure for every blind person the maximum amount of aid to which he is entitled. (W&IC 3089, 3449, 3460, 3472)

157-15 METHOD FOR DETERMINING THE AMOUNT OF GRANT IN APSB APSB 157-15

After the exempt income exceeds $800 in a given year, an adjustment shall be made in the amount of aid and the total net income including aid shall not exceed $85 per month (See Sec. 361-15, Adjustment in Amount of Grant in APSB) for the balance of the year. Exception: If the recipient is making an allocation to a spouse, no adjustment shall be made until the support of the spouse has been met, but in no event shall the amount allocated to the support of the spouse exceed $800 in any given year. Such allocation shall not be made until the recipient has had his full maximum of $800 exempt income. (See Sec. 153-80, Division of Income With Spouse.)

An APSB recipient may have net income up to $800 from exempt sources without affecting the maximum monthly grant of aid, unless a smaller grant must be given because of general relief which is granted for any part of the period covered by the first APSB warrant. (See Sec. 610-90, Duplication of GR (also known as IN) and Categorical Aid Payments, and 151-30, Definition of Exempt Income)

An applicant (including original applications, restorations, transfers from ANB, and reapplications) for APSB who has a regular monthly net income in excess of $151.67 a month from the various sources of allowable income (see Sec. 157-05, Provisions of W&IC Regarding Determination of Amount of Grant in APSB) is deemed to have income sufficient to provide a reasonable and decent standard of living and is ineligible to aid, even though he has a spouse without other means of support. (W&IC 3460, 3472)

156-50 (Continued) 156-50

The following are types of income which may be adjusted to whole dollars:

1. Regular income which is estimated as in the case of the value of a contribution in kind, such as free rent, free board and room, etc. (See Sec. 152-90, Value of Contributions in Kind.)

   Example B: A daughter, in whose home an ANB recipient lives, contributes his share of the utility bill. This is estimated to average about $3.55 a month. This estimate may be reduced to $3.00.

2. Irregular income of such a nature that consideration of the income received in the past is the only possible way of estimating the amount the recipient might reasonably expect to receive in the future. That amount which represents the monthly average over the preceding three months' period reduced to the nearest whole dollar may be deducted in determining the grant.

   Example C: A recipient of ANB not eligible for APSB (see Sec. 233-50, Verification of Plan for Self-Support, and Sec. 121-10, Blind While Not a Resident of California), tunes pianos and his exact income from month to month cannot be foretold. Income over the past three months has been as follows: June earnings $9.50, July earnings $3.00, August earnings $12.75, total earnings $25.25 or an actual monthly average of $8.42. Therefore, $8.00 is determined to be the recipient's average monthly income.

3. Grants of aid may usually be kept in whole dollar amounts when a case involves both fixed and adjustable income.

   Example D: An ANB recipient for whom there is no established need in excess of $80 is furnished free utilities by a daughter the value of which is estimated at approximately $4.35 a month. In addition he receives OASI in the amount of $21.85 each month. The estimated income may be lowered to $4.15 which, when added to the fixed income of $21.85, adjusts the total income to $26.00.

When reporting income on the Certificate of Verification of Eligibility (Form Bl 201) and the Notice of Change (Form Bl 232), the amount of income used in arriving at the amount of the grant should be reported. (W&IC 3075, 3084, 3084.1)

157-05 PROVISIONS OF W. & I. CODE REGARDING DETERMINATION OF AMOUNT OF GRANT IN APSB 157-05

APSB

The amount of aid to which any applicant for APSB shall be entitled shall be, when added to the net income of the applicant from all other sources, $85 per month. Net income from any of the following sources of a combined total value not exceeding $800 per annum shall not be considered for any purpose:

1. Income from applicant's labor or services;

2. The value of foodstuffs produced by the applicant or his family for his use or that of his family;

3. The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use;

(Section Continued on Next Page)

163-00 ELIGIBILITY OF INMATES OF NONPROFIT, FRATERNAL AND BENEVOLENT INSTITUTIONS OAS, ANB, APSB

163-00

Aid shall be granted to any person, otherwise eligible, who is an inmate of a home or institution maintained by any fraternal, benevolent or nonprofit organization provided all the following conditions are met:

1. There is no contract obligating the home or institution to care for the inmate for life. (See Sec. 163-60, Life-Care Contracts in Nonprofit, Fraternal and Benevolent Institutions.) (W&IC 3044.5, 3460)

2. The inmate is either obligated to pay the institution for the support provided, or the value of the support given without charge to the inmate is such that his full need is not met. Whether or not the institution has made a bona fide request for payment of the support given shall be ascertained. When full support is not furnished by the institution and the inmate is otherwise eligible, aid shall be granted in an amount necessary to cover the portion of his care not furnished by the institution. (W&IC 3075, 3460; AGO NS5220)

Per capita cost is not a factor in determining eligibility except as provided in Sec. 143-30, Inmate's Interest Resulting from Assignment of Property to Nonprofit Institution. (W&IC 2140, 2160.5, 3044.5, 3075, 3460)

162-00 ELIGIBILITY OF PUBLIC INSTITUTION INMATES 162-00
ANC

A child confined in a public institution for correctional or custodial care is not eligible for ANC. A child confined in a county hospital for temporary medical or surgical care may be eligible for ANC. (See Sec. 164-10, Eligibility During Hospitalization)

Aid shall be discontinued effective as of the last day of the month in which the child for whom aid is received entered the public institution.

When aid is discontinued because of the confinement of such child in any public institution, the county may provide that aid be restored when the child ceases to be an inmate of the institution. Upon release of the child, aid may be granted for the balance of the month during which time the child was not an inmate provided the child is otherwise eligible.

A child committed to the California Youth Authority, and paroled by the Authority to the care of relatives or a boarding home, is eligible for ANC provided the child meets all other eligibility requirements. Application for such child may be made while he is still in the Youth Authority facility. (W&IC 1529,1560)

162-05 ELIGIBILITY OF PUBLIC INSTITUTION INMATES AND PAROLEES 162-05
OAS, ANB, APSB

An inmate of a public institution may apply for aid, and if otherwise eligible, aid shall be granted from the first day of the month in which the determination is made that he is eligible, but in no event shall the aid commence prior to the date of application.

Not more than one warrant may be delivered to the applicant at the public institution. The applicant must move from the institution as soon as possible after receiving his first warrant. For procedure governing restoration after discontinuance because of confinement in a public institution for medical care, see Sec. 610-60, Payment to Inmate of Public Institution. (See also Sec. 610-70, Certification of Payment after Release of Inmate From Institution.)

A person may apply for and receive aid while on parole from a state hospital. (See Sec. 124-35, Residence While on Parole) (AGO NS858, NS3293)

Aid shall be granted to a person on parole from a prison if he is otherwise eligible. (AGO NS5624)

An inmate of a federal hospital or home may apply for ANB or APSB and receive such aid while an inmate. (AGO NS572)

A person confined in a public institution of a custodial or correctional character is not eligible to receive aid, and aid shall be discontinued as of the last day of the month in which a recipient enters such institution. When aid is restored following discontinuance because of confinement in a public hospital or in a public institution of a custodial or correctional character, aid may be restored for the balance of the month during which he was not confined in such institution, provided he is otherwise eligible. (See Sec. 215-00, Restoration of Aid.) (W&IC 2140, 2160e, 2183, 3044, 3044.5, 3075, 3084, 3444, 3460)

250-50 FACSIMILE SIGNATURES OF COUNTY WORKERS OR OFFICIALS 250-50
OAS, ANB, APSB, ANC

The SDSW will accept facsimile signatures of county workers or officials on certain documents. It is necessary that the facsimile signatures be affixed either by or under the special authority of the county officer whose signature is thus affixed. Documents on which facsimile signatures are acceptable are listed as follows:

Certificate of Verification of Eligibility (Ag, Bl, CA 201) signed by county investigator and by case supervisor or county director; also signed by county clerk or deputy county clerk.

Notice of Change (Ag, Bl, CA 232) signed by county clerk or deputy county clerk.

Social Data Record Card (Bl, CA 230) signed by "person completing form".

Notification of Transfer (AB 215, CA 215) signed by county worker.
(W&IC 1560, 2140, 3075, 3460)

250-10 REPORTING ACTION OF THE BOARD OF SUPERVISORS TO APPLICANT OAS, ANB, APSB 250-10

Immediately following action of the board of supervisors, the applicant shall be notified in writing of the disposition of his application and of his right of appeal to the SDSW for a fair hearing. (See Sec. 325-20, Right, Purpose, and Scope of Appeal.) This includes the applicant who has applied for a transfer from ANB to APSB or vice versa.

The applicant shall also be notified of his right to a hearing before the board of supervisors. Every notification of denial shall include the reason for such action.

Notification of Action by the Board of Supervisors (Forms Ag, Bl 239) includes the minimum requirements for notification to the applicant and shall be used by the county unless a substitute form which incorporates the information appearing on Forms Ag, Bl 239 is used, namely:

1. The nature of the board of supervisors' action, i.e., granting of aid (on new applications or restorations) or denial of aid. If granted, the amount of aid shall be shown.

2. The date from which the board of supervisors' action is effective.

3. The date the Forms Ag, Bl 239 is forwarded to the applicant.

4. A statement regarding the right of appeal for a fair hearing, including the address of the SDSW. The applicant shall also be notified of his right to a hearing before the board of supervisors upon application for such hearing within 30 days from the date of notification of the board of supervisors' action.

5. A suggestion that the applicant discuss with the county any dissatisfaction regarding the board of supervisors' action.

In OAS and ANB in addition to the above requirements, Form Ag, Bl 239 shall include the following items:

6. The source of income and amount of deductions shall be listed if aid is granted in less than the maximum amount.

7. The amount of total need shall be shown, if the total verified need of the individual is determined to be in excess of the statutory maximum.

If a recipient requests it, he shall be provided with a statement of the particular items of special need allowed, the amount allowed for each item, and the total need. Such statement shall be provided him within 10 days after the request is made. (W&IC 2016, 2140, 2181.1, 2182, 3075, 3086, 3087.5, 3089, 3460, 3473, 3473.2)

351-15 (Continued) 351-15

Transfers of real property which are revealed during the reinvestigation shall be evaluated in accordance with the provisions set forth in Sec. 135-00, Transfer of Real Property to Qualify for Aid.

The dates of verification and findings regarding real property shall be recorded in the case record. (W&IC 2140, 2184, 3075, 3089, 3460)

351-20 REINVESTIGATION OF PERSONAL PROPERTY 351-20

OAS, ANB, APSB, ANC

The amount of reinvestigation regarding personal property depends upon the circumstances in the case. In general, the following policies govern:

When changes in the value of personal property holdings as previously determined are reported, a complete investigation of all personal property holdings shall be made in accordance with the provisions of the respective category of aid. (For Personal Property considered in ANC, See Sec. 142-10, Limitations on Personal Property.) When there is a marked deviation in personal property holdings from those possessed when the preceding investigation was made, the reason for such deviation shall be ascertained and reported in the case record. When personal property was formerly substantial in amount and the amount has been appreciably reduced, funds may have been disposed of for the purpose of qualifying for aid or converted into other forms of personal property. When the facts indicate such possibility, verification shall be made of the disposition of holdings. When there has been an appreciable increase in personal property; e.g.,a bank account, the source of the increase shall be ascertained.

In OAS, ANB, and APSB, if a trust has been in existence for funeral, interment, or other similar expenses, investigation shall be made to determine if the trust continues or has been revoked (See Sec. 144-08, Determination of Value of Trust Funds).

The value of personal property which may increase in value shall be redetermined in accordance with the requirements of the specific category of aid. In ANB and APSB, the amount of encumbrances of record against personal property shall be determined.

When personal property is of fluctuating value and approaches the maximum permitted for the specific category of aid, its value shall be redetermined at least every three months.

Transfers of personal property which are revealed during the reinvestigation shall be evaluated in accordance with the provisions set forth in Sec. 146-10, Transfer or Assignment of Personal Property.

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351-12 (Continued) 351-12

erable. In no case shall the reinvestigation of eligibility be considered complete unless there has been at least one interview with the recipient.

In ANC the reinvestigation shall include any one of the following procedures:

1. A home call shall be made during the reinvestigation or within three months prior to completion of reinvestigation; or when this is not possible,
2. A home call shall be made within the year preceding the completion of the investigation, and an interview shall be held elsewhere within the three-month period prior to completion of reinvestigation. In the course of this interview, the living arrangements for the children shall be ascertained and points of eligibility reviewed. (W&IC 1560, 2140, 3075, 3460)

351-15 REINVESTIGATION OF REAL PROPERTY 351-15
OAS, ANB, APSB

If a statement is made on the Affirmation of Eligibility (Forms Ag, Bl 206) that the recipient and/or his spouse has not acquired real property since the last investigation, no additional real property investigation need be made unless information which conflicts with the statement is found. If conflicting information arises, a complete reinvestigation of real property holdings shall be made. (See Sec. 146-00, Conversion of Property, and 233-00, Verification of Real and Personal Property)

If changes in property holdings are reported on the Forms Ag, Bl 206 or otherwise come to the attention of the county, a complete reinvestigation of property holdings shall be made. See Chapter 130-00, Real Property, for eligibility policies on real property. (See Secs. 352-15, and 352-20, Recording of Reinvestigation.)

The amount of encumbrances of record against real property shall be determined. (See Sec. 132-03, Encumbrances of Record Deducted from Assessed Value of Real Property.)

(Section Continued on Next Page)

361-22 (Continued) 361-22

established to be within the maximum until 7/21 when funds received from sale of real property made him ineligible for further aid.

The second action of the board of supervisors is reported on a Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance	8/31/--	xxx	xxx	xxx

Reason for Change

Former conditional restoration. Eligibility from 5/1/-- now established as follows:

May 1, -- - $75 grant - no income
June 1, -- - $60 grant - $15 income, need not above $75
July 1, -- - $75 grant - income ceased
July 31, -- - Ineligible further payment. Personal property resulting from sale of real property on 7/21 excessive.

Approved by the Board of Supervisors of _____ County on 8/15/--

(Signed) _____

If the verification secured subsequent to the conditional restoration establishes that overpayment occurred during the period while aid was conditionally restored, adjustment shall be made for such amount thereof as can be offset by adjustment within the current adjustment period. In the application of Secs. 361-10, Decrease in Grant, or 361-50, Discontinuance of Aid, the full amount of the overpayment shall be considered irrespective of the existence of actual or constructive fraud, or mistake of fact. (See Secs. 670-88, Overpayments Resulting from Conditional Restorations in OAS.) Such action shall be taken by the board of supervisors at the first meeting after the facts have been determined.

Example 3. If in Example 2 there had been no property sale but the $15 income which began in June was continuing income, overpayment occurred not only in June but in July and August. With no need in excess of $75 there was an overpayment of $45. By board of supervisors' action on 8/15, the grant for September would be reduced to $30 which adjustment would take into consideration the $15 income to be received in September and the overpayment for July and August (both of which months would be within the current adjustment period) and the grant would be increased to $60 effective 10/1. (See Sec. 361-10, Decrease in Grant.) Repayment of the $15 overpayment in June is requested. (See Sec. 670-88)

(Section Continued on Next Page)

361-22 (Continued) 361-22

Example 1. A recipient requests restoration on April 8. By board of supervisors' action on 5/18 aid is conditionally restored in the amount of $75 effective May 1. The facts secured subsequent to the conditional restoration show the recipient to have been eligible for the $75 grant made to him beginning May 1. On July 3 the investigation is completed by action of the board of supervisors certifying to the recipient's eligibility to receive aid in the amount paid from the effective date of the conditional restoration. This second action of the board of supervisors is reported on the Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance				

Reason for Change

Former Conditional Restoration - Eligibility from 5/1/-- in the amount of $75 now established.

Approved by the Board of Supervisors of _____ County on 7/3/--

(Signed) _____

If the verification secured subsequent to the conditional restoration establishes eligibility (1) to a lesser amount than conditionally paid or (2) to receive aid in some but not all of the months during which aid was conditionally restored, the board of supervisors at their next meeting shall act upon the adjustment, if any, to be made in the current grant, and shall establish the amount of aid for which the recipient was eligible, as revealed by the completed investigation, during the period that aid was conditionally paid. In the upper part of Section I of the Form Ag 232 only that action which in any way changes the grant presently received shall be recorded. In the lower part of Section I under "Reason for Change" (use reverse of form if sufficient space is not available), the fact that the case had previously been conditionally restored shall be noted. Also there shall be recorded a statement of the amount the completed investigation reveals the recipient to have been eligible to receive beginning with the date the conditional restoration was effective, together with the need and the income considered in determining the amount for which the recipient was eligible.

Example 2. The request for restoration was signed on April 10. By action of 5/22 the board of supervisors conditionally restored aid from May 1 in the amount of $75 per month to a recipient having no income and whose personal property holding had not yet been established. The investigation was not completed until action by the board of supervisors on August 15 and showed that the recipient, having no need in excess of $75 had $15 income in June and no income in July or thereafter. Personal property holdings were

(Section Continued on Next Page)

361-22 (Continued) 361-22

The action of the board of supervisors is reported on the Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase	10/1/--	$70	$15	$85
Restoration				
Discontinuance				

Reason for Change

Former conditional restoration. Completed investigation establishes recipient was eligible for $70 per month beginning October 1. Rental income $15 and need $85. Was conditionally restored @ $65 per month.

Approved by the Board of Supervisors of _____ County on 12/5/--

(Signed) _____

If aid is restored conditionally and if the investigation has continued until all reasonable sources of proof of eligibility have been examined without establishing eligibility, the aid which was conditionally restored shall be discontinued. On the Notice of Change reporting the discontinuance action of the board of supervisors, a statement under "Reason for Change" on the Form Ag 232 shall be made as follows:

"Former Conditional Restoration. Investigation completed and eligibility from _____ (beginning date of conditional restoration) not established."

Request for repayment to the extent of the conditional aid granted shall be made. (See Sec. 670-88) (W&IC 2183.9)

361-22 (Continued) 361-22

The Notice of Change reporting the action would be completed as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease	9/1/--	$30	$15 earnings $15 July o.p. $15 Aug. o.p.	-
Increase	10/1/--	$60	$15	-
Restoration				
Discontinuance				

Reason for Change

Former conditional restoration. Eligibility from 5/1/-- now established as follows:

May 1, 19-- - $75 grant - no income
June 1, 19-- and thereafter $60 grant - $15 income and need not above $75

Approved by the Board of Supervisors of _____ County on 8/15/--

(Signed) _____

If the verification secured subsequent to the conditional restoration shows that the recipient is currently receiving a lesser amount of aid than he is entitled to receive, appropriate action of the board of supervisors shall be taken to increase the grant to the proper amount and to pay retroactive aid for the preceding two months as provided in Sec. 361-25, Item 11. Such action shall be reported to the SDSW on a Notice of Change in the usual manner. In Section I of Form Ag 232 under "Reason for Change" the fact that the case had previously been conditionally restored shall be noted. Also there shallbe recorded a statement of the amount the completed investigation reveals the recipient to have been eligible to receive beginning with the date the conditional restoration was effective, together with the need and the income considered in determining the amount for which the recipient was eligible.

Example 4. A recipient having need of $85 requested restoration September 3. By board of supervisors' action on October 15 his aid was conditionally restored effective October 1 in the amount of $65 on the basis of his statement that he received $20 income from rental. Subsequent investigation revealed that his net income for the rental was $15. On 12/5 the board of supervisors increases the grant on the basis of the facts as to his income.

(Section Continued on Next Page)

361-25 (Continued) 361-25

4. When a payment in a particular month is made for less than the authorized award for that month, and the additional payment due is made within a three-month period, including the month in which the erroneous payment was made. No further action by the board of supervisors is necessary.

Example: The authorized award for a recipient of ANB for October is $75. Due to an error, the recipient was paid $60 for October. County shall pay recipient additional $15 due for October in November or not later than December 31.

5. When an award has been made and remains in effect, but payment of aid is suspended as provided in Sec. 361-30, Suspension Procedure, and subsequently eligibility to the suspended warrants is established. Board of Supervisors' action is not required to release a suspended warrant. (See Sec. 361-30, Suspension Procedure.)

6. When a warrant is returned to the county auditor's office because of a change in the address of the recipient, such warrant shall be transmitted to the recipient's new address as soon as possible in the current month or within the two subsequent months following that for which the warrant was issued. (See Sec. 610-20, Time of Payment.)

7. When aid is continuous and there is a change of payee, the warrant shall be delivered to the new payee as soon as possible in the current month or within the two subsequent months following that for which aid is granted.

8. When, in a transferred case, the second county fails to begin aid on the date due. To avoid interruption in receipt of aid, the second county shall pay retroactive aid. (See Sec. 122-50, Removal from County of Residence.)

9. When it is determined that the previous action of the board of supervisors was erroneous, the board of supervisors shall rescind and correct its previous action under certain circumstances and limitations as follows:

   a. Rescission of denial action on an application. (See Sec. 201-25, When Application to be Taken.) The rescinding action must be taken within one year from the date of the action which is being rescinded. The beginning date of aid is then determined on the basis of the elapsed time between the date the application was signed and the date of the action granting the retroactive aid due. (See Sec. 611-50, Beginning Date of Aid--New Applications.)

   b. Rescission of an erroneous action discontinuing aid. The rescinding action must be taken within one year from the date of the action which is being rescinded and retroactive aid granted from the first of the month following the effective date of the erroneous discontinuance.

(Section Continued on Next Page)

361-25 RETROACTIVE AID PAYMENTS BY COUNTY 361-25
OAS, ANB, APSB

Retroactive aid means aid paid in a subsequent month for some preceding month or months. All payments of aid shall be made within the month for which aid is granted (See Sec. 611-50, Beginning Date of Aid--New Applications) except that retroactive aid shall be paid by the county in the following types of situations (See Sec. 626-50, Supplemental Aid Claims):

1. When retroactive aid is granted upon appeal to the SSWB or when the SDSW concurs in the county's recommendation that the appeal be adjusted by payment of retroactive aid without hearing by the SSWB (See Secs. 325-42, Stipulated Appeals, and 325-75, Retroactive Aid).

2. When retroactive initial payments are due because the investigation exceeded the period allowed by law for the particular category of aid as described in Sec. 611-70, Retroactive Initial Payments. The action of the board of supervisors may be an original action on the application (For examples see Sec. 611-70, Examples B, C and D), or it may be a subsequent action to correct the original action where it is found that the beginning date originally established was not in accord with the legal provisions.

Example: An OAS application which was signed on July 15 was approved by the Board of Supervisors on September 15, aid to start effective October 1. On October 25 the county discovers that aid should have been effective September 1 according to the provisions of W&IC Sec. 2183. On November 2 the Board of Supervisors takes action correcting the erroneous beginning date of aid by ordering aid paid effective September 1.

3. When an authorized award is in effect, but through error no payment is made, and the payment due is made within a three-month period, including the month in which no payment was made. No further action by the board of supervisors is necessary.

(Section Continued on Next Page)

361-30 SUSPENSION PROCEDURE
OAS, ANB, APSB, ANC

361-30

The board of supervisors may for cause, and upon instructions to do so by the SDSW, shall cancel, suspend, or revoke aid except that an initial payment may not be suspended. (W&IC 2220, 3078.5, 3460, FSS-Admin.) The recipient shall be immediately notified of the county's action, the reason therefor, and the right of appeal therefrom. (See Sec. 361-80, Notification to Recipient of Change in Grant.) (W&IC 2220.5)

Aid shall be suspended by the county when there is neither proof of continued eligibility nor proof of ineligibility. Suspension is the process whereby delivery of a warrant is withheld beyond the month for which the warrant is issued while circumstances which raise question regarding the recipient's continued eligibility are investigated. Upon completion of the investigation suspended warrants are either released to the recipient or canceled. Discontinuance of aid differs from suspension in that aid is discontinued only when the information establishes ineligibility for continued aid. An initialwarrant may not be suspended. (See Sec. 361-50, Discontinuance of Aid.)

Action authorizing the suspension of aid shall be taken by the board of supervisors not later than the first meeting of the month following that for which delivery of a warrant is withheld. Exception: When the county welfare department establishes eligibility prior to the first board of supervisors' meeting of the month following that for which delivery of a warrant is withheld, the warrant may be released without the necessity of board action authorizing the suspension of aid, provided the warrant is delivered on or before the date of such board meeting.

Upon request of the SDSW, an immediate report of every suspension of aid shall be made. Such report shall state the reason for the suspension, the date on which the board of supervisors approved the suspension, and the progress made toward establishing eligibility.

When delivery of a warrant has been withheld but eligibility is subsequently established and the warrant is delivered on or before the last day of the month for which it is issued, suspension action is not necessary. (See Sec. 361-30, Notification to Recipient of Change in Grant.)

In ANB and APSB, aid shall not be discontinued or suspended upon receipt of a Physician's Report of Eye Examination (Form Bl 227) which raises question as to the degree of blindness. Such a report shall be considered as conflicting evidence of eligibility in that one or more Forms Bl 227 indicating eligibility were previously obtained. The procedure outlined in Sec. 361-40, Continued Eligibility Questioned on Basis of Physician's Report of Eye Examination, shall be followed.

When information which raises question regarding continued eligibility makes it advisable to withhold delivery of the warrant for a particular month

(Section Continued on Next Page)

361-25 (Continued) 361-25

10. When the SDSW concurs in a county recommendation that retroactive aid be paid or when the county concurs in a SDSW recommendation that retroactive aid be paid in appeals involving degree of blindness. (See Sec. 325-42, Stipulated Appeals.)

11. Retroactive aid shall be paid by the county when a payment was made in conformity with the authorized award and it is subsequently determined that the recipient was eligible for a larger grant, provided it is administratively possible to secure action of the board of supervisors before the end of the second month following that in which the recipient was underpaid.

Example A: An OAS recipient received $65 in July. A $10 deduction was made because of a son's contribution. On September 5 the county learned that the son ceased his contribution in June, and the recipient has had no other income. He was thus eligible to receive a grant of $75 since July 1.

If administratively possible, the board of supervisors shall by action in September grant retroactive aid for July and August (and authorize a supplemental payment for September). If not administratively possible to take such action in September, action shall be taken in October to grant the retroactive aid due for August and September, the two months preceding the month in which the action is taken (and to grant supplemental aid for October).

Example B: An ANB recipient received a grant of $35 in August and in October the county verified that the income formerly received ceased in August. Therefore the recipient was eligible for a grant of $85 from September 1. The board of supervisors does not meet again until November 5. On that date the November grant is increased to $85 and retroactive aid for September and October is granted.

(See Sec. 627-30, Federal Participation.) (W&IC 2140, 2220, 3075, 3078.5, 3460; AGO NS 4670; FSS-Admin.)

362-30 (Continued) 362-30

In OAS when reporting restoration of aid following a discontinuance because of employment, report the date the recipient's request for restoration of aid was signed. If all of the facts have been determined when investigation is completed by action of the board of supervisors restoring aid, report "eligibility established". If aid is conditionally restored because the fact of eligibility has not been established at the time the board of supervisors' action was taken, record "conditional restoration - presumptive eligibility". See Sec. 361-22, Investigation of Conditional Restoration, for further instructions regarding reporting on conditional restorations.

In ANB, APSB when reporting restoration of aid following discontinuance for any reason, report the date the recipient's request for restoration was signed. (See Secs, 215-00, Restoration of Aid, and 230-95, Investigation of Request for Restoration After Discontinuance.)

In ANB and APSB when reporting a change from ANB to APSB or vice versa, detailed information regarding the change in type of aid shall be given under "Reason for Change". In APSB this shall include information regarding plan for achieving self-support. (W&IC 2140, 3075, 3078.3, 3460, 3475)

362-30 REPORTING REASON FOR CHANGE ON NOTICE OF CHANGE OAS, ANB, APSB 362-30

When the reason for change (except discontinuance of aid to the individual) is clearly indicated by the entries in the vertical columns opposite the particular type of change which is effective it need not be repeated under this heading. Report any additional information in this space. When a recipient's aid is discontinued the reason shall be reported in Section II of Forms Ag,Bl 232.

Change of an OAS, ANB, or APSB recipient's name, due to marriage, court order, or for other reasons, shall be reported to the SDSW under "Reason for Change".

Certain changes in guardianship status in OAS, ANB, and APSB shall be reported under "Reason for Change" in accordance with Sec. 230-60, Guardianship.

The month or months for which suspended payment was cancelled as provided in Sec. 361-33, Cancellation of Warrants for Months During Which Recipient Was Ineligible Under Suspension of Grant Procedure, shall be reported under "Reason for Change".

In reporting restoration following release from a public institution, the exact date of release shall be reported here. In reporting restorations for other reasons, information should be entered here as to the exact date and the reason the recipient became eligible subsequent to discontinuance of aid. (See Sec. 215-00, Restoration of Aid.)

(Section Continued on Next Page)

610-75 PAYMENTS TO PATIENTS ON LEAVE FROM STATE HOSPITALS 610-75
OAS, ANB, APSB

Aid may be paid to a person who is on leave of absence from a State hospital. A legal guardian may or may not have been appointed for such person on leave.

The aid is paid directly to the person on leave when:

1. No guardian has been appointed; or
2. The guardian is of the person only.

The aid is paid to the guardian when he is:

1. Guardian of the estate only; or
2. Guardian of the person and the estate.

The guardian of the estate of the person on leave for whom aid is paid may be a public official but cannot be an employee of the county welfare department. There is no Federal participation in such cases if the guardian is an official of the SDMH. (See Sec. 230-60, Guardianship.) (Prob. C 1460 et seq; AGO NS858, NS3293; FSSB)

Some applicants for aid are not given leave until aid has been granted. Upon receipt of the completed Form AB 235 (Certification from State Department of Mental Hygiene of Applicant's Release from State Hospital) giving the date such an applicant was released from the hospital, the county shall deliver the warrant. Form AB 235 shall be completed by the county to give the date of delivery of warrant. One copy of this completed form shall be sent to the SDSW. (See Secs. 202-55, Application of Patient on Leave From State Hospital; 230-85, Investigation of Application Made While in or on Leave From a State Hospital; 250-05, Reporting Action on Application to SDSW; 610-60, Payment to Inmate of Public Institutions; 610-70, Certification of Payment after Release of Inmate from County Institution; 611-60, Initial Payments; and 612-99, Payment of Aid Forms) (W&IC 2140, 3075, 3460)

610-80 MONEY PAYMENTS AND RESTRICTED PAYMENTS 610-80
OAS, ANB, APSB, ANC

THE MONEY PAYMENT

The money payment shall be in warrants immediately redeemable at par; these payments shall be made to the grantee or his legal guardian at regular intervals and no restrictions shall be imposed on the use of the funds. (See Secs. 610-10, Mode of Payment, and 610-20, Time of Payment.) The money payment, therefore, assures the right of the recipient to use his payment as he would money received from any other source and to be free to direct his own life. In other words, the money payment makes it possible for recipients to carry on their activities through the normal channels of exchange, enjoying the same personal rights and discharging the same responsibilities as do friends, neighbors, and other members of the community. The recipient shall have full use of the warrant and there shall be no State or county control of its expenditure. Payments of aid shall be delivered unconditionally to the recipient in the full amount of the grant for the sole use and benefit of the individual or individuals on whose behalf the grant is made.

(Section Continued on Next Page)

610-60 PAYMENT TO INMATE OF PUBLIC INSTITUTION OAS, ANB, APSB 610-60

An inmate of a federal hospital or home may apply for ANB or APSB and receive such aid while an inmate. (See Sec. 162-05, Eligibility of Public Institution Inmates and Parolees) There is no federal participation in such cases.

Other than as stated above:

1. Aid shall not be paid to any inmate of a public institution, except when confined for temporary medical or surgical care. Sec. 164-10, Eligibility During Hospitalization, relating to continuance of aid to a recipient confined in a public hospital for medical or surgical care, shall determine the final payment to such a recipient.

2. When aid is restored to a former recipient whose aid was discontinued because of confinement in a public institution, the beginning date of such aid shall not antedate the day he leaves the institution. (See Sec. 215-00, Restoration of Aid.)

3. Inmates of public institutions may make application for OAS, ANB, or APSB, and if eligible, aid shall be paid from the first day of the month in which the application is granted, provided such date does not precede the date of application. If the applicant has not left the institution by the time the payment for the month in which the application is granted is due to be delivered the warrant shall be delivered to the applicant at the institution. The applicant must leave the institution immediately following receipt of that warrant, and no further warrant shall be delivered until he has left the institution. (W&IC 2140, 2160, 3044, 3044.5, 3075, 3444, 3460; AGO NS572, NS4700; FSS-Admin.)

610-70 CERTIFICATION OF PAYMENT AFTER RELEASE OF INMATE FROM COUNTY INSTITUTION OAS, ANB, APSB 610-70

As evidence that an applicant whose application was granted while an inmate of a public institution and who received his first warrant while in the institution ceased to be an inmate following receipt of that warrant a Certificate of Delivery of Payment of Aid (Form AB 231) relating to the warrant for the second month shall be completed and forwarded to the SDSW. The county official or other person delivering the warrant certifies on AB 231 to the day the applicant left the institution and the date the warrant was delivered.

When aid is restored following discontinuance because the recipient entered a county public institution, Form AB 231 need not be submitted but the Notice of Change (Form Ag, Bl 232) shall show the date the recipient left the institution. When the Form Ag, Bl 232 restoring aid is prepared in advance on the basis of the anticipated date when he will leave the institution, Form AB 231 shall be submitted as evidence that he left the institution on or prior to the effective date of the restoration.

The above procedure does not apply where a recipient of OAS, ANB, or APSB enters a hospital for temporary medical care and aid is continued. Warrants shall be delivered to such recipients after admittance to the institution in accordance with the rules in Sec. 164-10, Eligibility During Hospitalization. (See Sec. 612-99, Payment of Aid Forms.) (W&IC 2140, 2160, 2160.6, 3044, 3075, 3444, 3460; AGO NS4700)

TITLE 22 - CH 2.

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

Myrtle Cresson
(Signature)

Director
(Title)

1/16/50
(Date)

MYRTLE WILLIAMS
Director

1,5V IC 103, 2140, 3075, 346

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 17, 1950

FILED
in the Office of the Secretary of State
of the State of California

JAN 18 1950
At 11:30 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

DEPARTMENT BULLETIN NO. 394 (OAS, ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Rules and Regulations Effective March 1, 1950 - Old Age Security, Aid to Needy Blind, and Aid to Partially Self-supporting Blind Residents

This bulletin specifies the sections of the State Department of Social Welfare Manual of Policies and Procedures and the Department Bulletins which shall govern the determination of eligibility and the granting of Old Age Security, Aid to the Needy Blind, and Aid to the Partially Self-supporting Blind Residents effective March 1, 1950.*

The following Department Bulletins which were issued under the authority of Article XXV of the State Constitution cease to be effective on March 1, 1950.

No. 329) 329-A)	Method of Making Adjustment in OAS Payments Effective January 1, 1949
330	Method of Making Adjustments in Security for the Blind Payments Effective January 1, 1949
331) 331-A)	Method of Authorizing OAS Security Grants Under Article XXV
332	Method of Authorizing Grants of Security for the Blind Under Article XXV of the State Constitution in Counties Operating Under the Agreement Plan
333	OAS - Changes in Eligibility Requirements Effective January 1, 1949
334) 334-A)	Security for the Blind - Changes in Eligibility Requirements Effective January 1, 1949
337	Transfer Procedures - OAS and SB
345	Changes From One Category to Another - SB and APSB

*Additional Manual sections relating to financial, statistical, and personnel policies and procedures not listed in this bulletin will be reactivated by subsequent Board action.

No. 347 Old Age Security Budget (Rescinded by Bulletin No. 354)

348 Contributions From Relatives

350 SB - Budget Method for Determining Total Need (Rescinded by Bulletin No. 354)

351 Retroactive Security Payments

353) Limitations on Personal Property
353-A)

354 Determination of Security Payments (Rescinded by Bulletin No. 359)

359-A) Determination of Security Payments
359-B)
359-B Revised)

364 Applicant Moves From One Administrative Unit to Another

365 Federal Participation in Age Verification

370 Recipients Living With Ineligible Spouses

372) Payments to Counties for Institutional Care of Former
372-A) Recipients of OAS or SB

378 Assessed Valuation

The following bulletins which were issued to effectuate the provisions of Article XXVII of the State Constitution cease to be effective on March 1, 1950:

No. 380 OAS - 65th Anniversary Date Under Department Bulletin 365

381 Cessation of Transfer Procedure

382) OAS - Analysis of Eligibility
382-A)

383 Age Records of Recipients

385 SB - Analysis of Eligibility

Under the provisions of Article XXVII of the State Constitution, Chapters 682, 959, and 1048 of the Laws of 1949 cease to be effective March 1, 1950. Therefore, the following Department Bulletins cease to be effective March 1, 1950, insofar as they apply to APSB:

No. 344 (APSB) Notice of Change, Form APSB 232, January 1949

346 (APSB) Forms APSB 200 and APSB 201

355 (APSB) Increase in the Amount of APSB*

366 (APSB & ANC) Retroactive Payments in APSB and ANC

374 (APSB) Repeal of Responsible Relatives Clauses-APSB

375 (APSB) Exemption of Educational Scholarships and Enrollment in Institutions of Higher Learning

*Although Bulletin 355 ceases to be effective as of March 1, 1950, the maximum grant of APSB is set at $85 a month by Article XXVII of the State Constitution.

MANUAL OF POLICIES AND PROCEDURES

GENERAL PROVISIONS - Chapter 100

The only changes in this chapter, as it relates to OAS, ANB, or APSB are in the chart in Section 101-00; until a revision is made the amount of aid in OAS shall be changed to read "$75" and in ANB and APSB to "$85." (Article XXVII, State Constitution)

The following sections as they affect OAS, ANB, or APSB are re-adopted:

101-00 (as revised)	102-60
101-05	102-70
101-15	102-73
102-00	102-75
102-15	102-77
102-20	102-79
102-30	102-90
102-40	102-95
102-50	

AGE - Chapter 105

The changes in the chapter on age, as set forth in the Manual affect OAS only, and are concerned with the method of establishing the age of an applicant. These changes are in Sections 105-20, 106-00, 107-10 and 107-20 which were revised by action of the Social Welfare Board on December 29, 1949

The following Manual Sections, including the revisions indicated above, are re-adopted:

105-00	107-80	108-50
105-20 (revised)	107-85	108-55
106-00 (revised)	107-90	108-60
106-05	107-92	108-65
107-00	107-95	108-70
107-05	108-00	108-75
107-10 (revised)	108-05	108-80
107-20 (revised)	108-07	108-85
107-30	108-10	108-90
107-40	108-15	108-95
107-51	108-20	109-00
107-55	108-25	109-05
107-60	108-30	109-15
107-65	108-35	109-20
107-70	108-40	109-25
107-75	108-45	109-30

CITIZENSHIP - Chapter 112

There are no changes in the chapter on citizenship in the Manual. The following Manual sections are re-adopted:

112-00	114-15	116-45
112-05	115-00	116-50
112-15	115-05	116-60
113-00	115-15	116-70
113-05	115-20	117-00
113-20	115-25	117-05
113-25	115-30	117-10
113-50	115-35	117-15
113-55	115-40	117-20
113-60	116-00	117-25
113-65	116-05	117-30
113-70	116-10	117-40
113-75	116-15	117-50
113-80	116-20	117-60
113-85	116-25	117-63
114-00	116-30	117-66
114-05	116-35	117-69
114-10	116-40	117-72
		117-75
		117-78
		118-00
		118-05

RESIDENCE - Chapter 120

The only change in the manual chapter on residence affecting OAS, ANB, and APSB is the suspension of the second and third paragraphs of Manual Section 123-05, Continuance of Aid While Recipient Absent From State. Temporarily suspended is the requirement that a recipient return to the state at the end of one year. This is in keeping with Department Bulletin No. 349 which was re-adopted by the Social Welfare Board on January 13, 1950 (copy attached).

Effective March 1, 1950, county residence shall be established for all new applicants. In continuing active cases, county residence status is to be determined by July 1, 1950

For the procedure governing the transfer of responsibility for payment of aid to cases transferred from one county to another refer to page 11 of this bulletin.

The following Manual sections subject to the temporary suspension of paragraphs two and three of Section 123-05, are re-adopted:

Residence Charts	121-50	123-20
120-00	121-55	123-25
120-05	121-60	123-50
120-10	121-75	123-60
120-25	121-95	124-05
120-30	122-00	124-07
120-32	122-05	124-10
120-33	122-15	124-15
120-45	122-50	124-25
121-00	122-53	124-28
121-05	122-55	124-30
121-10	122-60	124-35
121-15	122-65	125-00
121-17	122-70	125-15
121-30	122-75	125-20
121-40	123-00	125-25
121-45	123-05	129-00

REAL PROPERTY - Chapter 130

The changes in the regulations on real property holdings of OAS, ANB, and APSB applicants and recipients are set forth in Department Bulletin No. 395, Real and Personal Property Holdings (Federal Requirements) and in Manual Sections 131-00, 131-18, 132-00, 132-30, 135-00, 135-40, and 135-60. These sections, revised by the Social Welfare Board on January 13, 1950, no longer require that a routine search be made of county records to determine whether the individual owns real property or has transferred real property. However, each applicant or recipient shall be questioned as to whether he possesses any real property or whether he has made any transfer of real property.

If the applicant or recipient states that he owns no real property and that he has made no transfer of property, no routine search of county records need be made for property held in his name unless conflicting information or evidence is obtained. If such a conflict does arise a review shall be made of the records of the county assessor, tax collector, or recorder.

If the applicant states that he owns real property, the assessed value of such real property shall be determined. Such determination shall be made through a tax statement if it is available; if it is not available a review shall be made of the appropriate county records to determine the amount of the real property holdings.

Manual Section 132-00 has been revised to provide that ANB shall not be granted to any person who together with his spouse owns community real property when the county assessed valuation, less all encumbrances thereon of record, exceeds $3500.

(Note: Until it is possible to revise Manual Section 135-15, the reference to a routine real property search shall be disregarded.)

The following Manual sections, including the above mentioned, are re-adopted:

Foreword	132-25	135-20
130-00	132-30 (revised)	135-25
130-25	132-41	
131-00 (revised)	132-46	135-60 (revised)
131-05	132-51	135-70
131-06	132-52	135-72
131-07	132-54	135-75
131-10	132-55	135-80
131-12	132-56	135-85
131-15	132-58	135-90
131-18 (revised)	132-60	136-00
132-00 (revised)	134-00	136-10
132-03	134-10	138-00
132-07	134-15	138-10
132-10	134-30	139-00
132-15	135-00 (revised)	139-15
132-20	135-15	

PERSONAL PROPERTY - Chapter 140

The changes in the personal property regulations as they relate to OAS, ANB, and APSB are the revisions of Manual Section 143-75 providing a scale for determining the value of a motor vehicle (adopted by the State Social Welfare Board on 12/29/49), and the over-all personal property limitation of $1,500 contained in Department Bulletin No. 395, Real and Personal Property Holdings (Federal Requirements).

It should be noted that in ANB the $600 limitation includes only cash, securities, and cash surrender value in insurance. All other types of personal property (automobiles, household furniture, farm equipment, etc.) are to be included together with real property in the over-all $3500 limitation on real and/or personal property.

The following Manual sections including the above-mentioned revision are re-adopted:

140-00	143-40	144-05
141-00	143-45	144-08
141-10	143-55	144-10
141-15	143-57	144-15
141-20	143-60	144-20
141-30	143-75 (revised)	145-00
142-00	143-77	145-05
142-05	143-79	145-10
142-25	143-80	146-00
143-00	143-81	146-05
143-10	143-82	146-10
143-15	143-83	146-12
143-20	143-87	146-15
143-25	143-88	147-00
143-30	143-89	147-05
143-35	143-95	
143-37	144-00	

INCOME - Chapter 150

The changes in the manual chapter on income as they relate to OAS and ANB applicants and recipients are in Sections 151-70 and 152-10. The revisions are concerned with the method of determining the net income from rentals and sub-rentals and were adopted by the Social Welfare Board on December 29, 1949.

In Section 150-00 the chart should be changed so that all references to the amount of grant read "$75" for OAS and "$85" for ANB and APSB.

The following Manual sections, including the above indicated revisions are re-adopted:

150-00	151-65	152-60
150-40	151-70 (revised)	152-90
150-50	151-80	153-10
150-60	151-90	153-40
151-00	152-00	153-50
151-20	152-10 (revised)	153-70
151-30	152-20	153-80
151-50	152-30	
151-60	152-40	
	152-50	

AMOUNT OF GRANT - Chapter 155

Manual Sections 155-05 to 156-50 inclusive, relative to the amount of OAS and ANB payments, have been replaced by Department Bulletins No. 359 and 359-A Revised, which were adopted by the State Social Welfare Board on January 13, 1950 (copies attached).

Manual Section 157-05 has been revised by changing the maximum amount of APSB from $75 a month to $85 a month.

Manual Section 157-15 has been revised to change the maximum amount of APSB from $75 a month to $85 a month; also, to provide that an applicant for APSB who has a regular monthly net income in excess of $151.67 a month ($800 yearly exempt income divided by 12 equals $66.67 a month, which when added to the maximum grant of $85 a month totals $151.67), is ineligible to aid.

Manual Sections 157-05 and 157-15 as revised are the only sections of this chapter which have been re-adopted.

INSTITUTIONAL INMATES - Chapter 160

The changes in the manual chapter on institutional inmates relating to OAS, ANB, and APSB are concerned with Sections 162-05 and 165-15.

Manual Section 162-05 was revised by the Social Welfare Board on December 29, 1949, to provide that an applicant who is an inmate of a public institution may receive his first payment while still in the institution. However, not more than one warrant shall be delivered to him while in the public institution; he must move from the institution as soon as possible after receiving the first warrant. This in no way changes the procedure governing restoration of aid to persons whose grants were discontinued because of confinement in a public institution for medical care. In the latter situation the warrant shall not be delivered to the recipient until he has left the institution.

Section 165-15 concerned with hospital subvention, is not re-adopted. Policy relating to hospital subvention will be adopted as soon as possible.

The following Manual sections including the revision of 162-05 as mentioned above, are re-adopted:

Foreword		
160-00	163-55	163-95
161-05	163-60	163-97
161-10	163-75	164-10
162-05 (revised)	163-85	164-30
163-00	163-90	165-00
163-35	163-92	165-05

RESPONSIBLE RELATIVES - Chapter 170

There are no changes in this chapter as it affects OAS, ANB, or APSB: the following sections are re-adopted:

170-00	171-47	171-80
171-00	171-50	171-85
171-10	171-55	171-90
171-20	171-60	172-05
171-35	171-65	172-15
171-40	171-70	172-99
171-45	171-75	

BLINDNESS - Chapter 180

There are no changes in the chapter on blindness.

The following Manual sections are re-adopted:

Foreword	180-20
180-05	180-25
180-10	180-30
180-15	180-50

PREVENTION OF BLINDNESS - Chapter 185

There are no changes in the chapter on the prevention of blindness. The following Manual sections are re-adopted:

Foreword	185-35
185-00	185-40
185-05	185-45
185-10	185-50
185-15	185-55
185-20	185-60
185-25	185-65
185-30	189-99

APPLICATIONS - Chapter 200

There are no changes in the chapter on the application process, affecting OAS, ANB, or APSB, as set forth in the State Manual.

The application forms which were used prior to January 1, 1949, shall be used for all applications received on and after March 1, 1950. A supply of these forms has been ordered and will be distributed as soon as it is available.

It should be noted that under Article XXV it was provided that an applicant for ANB shall apply in person unless he is physically unable to do so, in which case application could be made by an authorized representative. This provision will no longer be effective after March 1, 1950. On and after that date Section 3080 of the W&I Code will govern application for aid. Section 3080 provides that immediately upon request therefor the county agency designated to administer Aid to the Blind shall, without charge, mail application blank for aid to any person in the county. (See Manual Section 201-10, Person Making Application.)

In ANB the provision that application may be made 60 days prior to the date on which the applicant would attain the minimum age of eligibility is no longer effective after March 1, 1950. (In OAS an applicant may sign the application when within 60 days of reaching the 65th birthday.)

It should also be noted that Section 3083 of the W&I Code provides that the application, evidence, and documents submitted by an applicant for Aid to Needy Blind may be used to grant the applicant Aid to Partially Self-supporting Blind Residents if he is eligible therefor. Likewise, Section 3473 of the W&I Code provides that if in the investigation of an application for Aid to Partially Self-supporting Blind Residents it is found that the applicant is ineligible, the county may deny APSB and grant Aid to Needy Blind without taking a new application and by using the same evidence and documents already secured.

The following Manual sections are re-adopted:

Foreword	201-25	210-05
200-00	202-10	215-00
201-00	202-15	215-05
201-05	202-20	215-10
201-10	202-55	215-95
201-12	202-70	215-99
201-20	210-00	

INVESTIGATION AND DECISION - Chapter 230

The only change in the manual chapter on investigation and decision as it affects OAS, ANB, and APSB, is in Section 250-10. As revised, it provides that in ANB, Form Bl 239, Notification of Action by the Board of Supervisors, shall include the source of income and amount of deductions when aid is granted in less than the maximum amount, and the amount of total need when the total need of the individual is determined to be in excess of the statutory maximum. Provision is also made that the recipient shall be provided with a statement of the particular items of special need allowed, the amount allowed for each item, and the total need, when such a statement is requested by the recipient. It should also be noted that in Sections 230-20, 230-25, 230-35, 235-05, and 250-05 wherever the designation "SB" appears, it should be replaced by "ANB."

The following Manual sections, including the revisions indicated above, are re-adopted:

230-00	231-00	234-00
230-20	231-10	234-25
230-25	231-50	235-00
230-35	232-00	235-05
230-40	232-05	236-00
230-42	232-10	236-20
230-44	232-40	236-30
230-45	233-00	236-35
230-60	233-25	237-00
230-75	233-30	237-10
230-80	233-35	237-50
230-85	233-40	250-00
230-88	233-45	250-05
230-90	233-50	250-10 (revised)
230-95	233-55	250-50
		250-99

FAIR HEARINGS - Chapter 325

There are no changes in the chapter on fair hearings as it affects OAS, ANB, and APSB. The following Manual sections are re-adopted:

Foreword	325-42	325-85	325-25
325-00	325-45	325-90	325-60
325-20	325-50	325-95	326-10
325-22	325-55	326-00	
325-23	325-60	326-05	
325-35	325-70	326-20	
325-38	325-75	330-00	
325-40	325-80	330-99	

CONTINUING SERVICES - Chapter 350

The revisions in the Manual Chapter on Continuing Services, as it affects OAS, ANB, and APSB are in Sections 351-15, 361-22, and 361-25, and are as follows:

Section 351-15, Reinvestigation of Real Property, is revised in keeping with the revision in Sections 132-30 and 135-60 in the Real Property Chapter. These latter revisions adopted by the Social Welfare Board on January 13, 1950, remove the requirement of a mandatory routine search of real property in all cases.

Section 361-25, Retroactive Aid Payments By County, as revised by the Social Welfare Board on December 29, 1949, provides that payment of retroactive aid to recipients of OAS, ANB, or APSB during the current adjustment period is mandatory rather than optional. It also requires the rescinding of erroneous denials and discontinuances and provides for payment of the retroactive aid due the recipient.

Manual Sections 361-80 and 362-05 have not been revised but all reference to the amount of the grant shall be changed to read"$75" for OAS and "$85" for ANB.

In Manual Section 370-00, relating to Transfer procedure, reference to the report on the two year property search shall be disregarded. Otherwise Section 370-00 remains in effect except that the date for assumption of responsibility for payment of aid by the second county shall be governed as follows:

1. County Residence Changed Prior to 3/1/50: If a recipient in the first county (county paying security on 3/1/50) established residence in the second county prior to 3/1/50, transfer arrangements shall be made as soon as possible after 3/1/50 to provide for assumption of responsibility for payment of aid by the second county not later than 7/1/50. Otherwise transfer procedures as outlined in Manual Section 370-00, Transfer of Aid, shall be followed and copies of the Notification of Transfer, Form AB 215, and Applicant's Affidavit of Intent as to Residence, Form AB 204, shall be submitted to the Central Office of the SDSW as soon as the transfer arrangements are completed.

   It is anticipated that revisions will be made in the methods to be followed by a county in claiming reimbursement for aid paid to recipients who transferred into the county but who had not acquired one year's residence in that county by July 1, 1950. As soon as the material is available it will be released.

2. County Residence Changed On Or Subsequent to 3/1/50: When county residence of a regular or a non-county recipient is changed after 3/1/50, the appropriate procedures as outlined in Manual Section 122-50, Removal From County of Residence, or 122-70, Removal of Non-County Aid recipients, and Section 370-00, Transfer of Aid, shall be followed.

3. Transfer of Recipients Who Are On Parole Or On Leave of Absence From a State or Federal Institution

   If a recipient is living in and receiving aid from a county in which he does not have residence and in which he cannot establish residence because of his status as a parolee or on leave of absence from a State or Federal Institution, arrangements to transfer responsibility for payment of aid to the county of his residence (see Manual Section 124-35, Residence While on Parole) shall be completed as soon as possible after 3/1/50 so that the county of residence assumes responsibility for payment of aid not later than 7/1/50. Payment by the second county beginning 7/1/50 shall be on a regular county participation basis.

The following Manual sections including the revisions and modifications indicated above are re-adopted:

350-10	352-15	361-40
350-20	352-20	361-50
351-00	352-25	361-75
351-05	353-00	361-80
351-10	353-05	361-85
351-11	353-20	361-90
351-12	353-99	362-00
351-15	360-00	362-05
351-20	360-05	362-20
351-25	360-25	362-30
351-30	361-00	362-40
351-35	361-10	362-42
351-40	361-15	362-45
351-50	361-20	362-46
351-55	361-22 (Revised)	362-50
351-57	361-25 (Revised)	365-99
351-80	361-30	370-00
351-90	361-33	370-05
	361-35	

Section 362-25, Change in Need or Income - No Change in Grant, is deleted and Manual Section 362-48 is not readopted at this time. A revised Section 362-48 will be adopted in the near future.

SB ANALYSIS FORMS

Bulletin 385 required that all assets of each recipient, without regard to exemptions specified in the Welfare and Institutions Code, be recorded on Form Temp 302 B1, SB Eligibility Analysis. Although eligibility requirements governing property holdings effective March 1, 1950, are those as stated in the Welfare and Institutions Code, it is possible that amendments to the Code may be passed during the next legislative session which will call for some re-evaluation of assets. Therefore, all prepared copies of Form Temp 302 B1 shall be retained for possible future consideration of total assets. (This same requirement was made for OAS in Bulletin 389 adopted by the Social Welfare Board and released 12/30/49.)

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

Myrtle Williams
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

January 20, 1949

DEPARTMENT BULLETIN NO. 349 (3 Aids)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Manual Section 123-05 - Absence from the State

Notice is hereby given that the following ruling contained in Manual Section 123-05 is suspended:

"If a recipient of OAS, ANB, APSB, or a child receiving ANC leaves the state for a temporary period without loss of California residence, aid shall be continued for not more than one year following the date of departure unless unusual circumstances exist, in which case aid may be continued for a longer period.

"Recipients who were absent from the state on February 1, 1948, when this rule became effective shall be required to return to California by February 1, 1949, in order to remain eligible for assistance unless unusual circumstances exist. (W&IC 1560, 2140, 3075, 3460)"

Therefore, payment is to be continued to such persons who are otherwise eligible until such time as further instructions are issued.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

February 16, 1949

DEPARTMENT BULLETIN NO. 359 (OAS, SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: OAS and SB--Determination of Security Payments

Department Bulletins No. 347, 350, and 354 are hereby rescinded.

The following sections of the Manual of Policies and Procedures are rescinded in their entirety:

Sec. 155-25 (OAS) Total Need--Determination by Budget.
Sec. 155-26 (OAS) Form Ag 241, Budget Work Sheet and Instructions for Use.
Sec. 155-50 (OAS) Definition and Determination of Special Needs in OAS.
Sec. 156-25 (ANB) Definition and Determination of Needs in Excess of Basic Continuing Needs.
Sec. 156-30 (ANB) Procedure for Establishing Needs in Excess of Basic Continuing Needs in ANB.
Sec. 156-50 (ANB) Grant of Aid in Whole Dollars in ANB.

Statements regarding the use of the Budget Plan for OAS appearing in any other sections of the Manual are rescinded.

The need of applicants for and recipients of OAS and SB is that amount which is needed to meet the individual's total requirements as defined by the standards set forth herein.

The security payment is determined by subtracting the individual's income and the value of his currently used resources (other than casual income and inconsequential resources) from his need. The security payment plus the income shall not be less than $75 in OAS, and $85 in SB. When the need is in excess of $75 in OAS ($85 in SB) the amount of the security payment is determined by subtracting the income from the need. When the need is in excess of $75 ($85 in SB) and the difference is not in whole dollars the security payment shall be adjusted to the next higher whole dollar but in no event may the grant exceed $75 in OAS or $85 in SB. The amount of the security payment plus the income of the individual shall not exceed the total need except to the extent that the grant is adjusted to the next higher whole dollar.

A. Determination of Need

Since the law provides that the income together with the amount of the grant shall equal at least $75 in OAS, this amount is considered to cover continuing needs

common to all OAS recipients. In SB $85, the maximum payment, is considered to cover basic continuing needs common to all blind recipients. In addition to basic continuing needs the individual may have special needs arising out of impairment of health, physical handicap, etc. When special needs exist, the total need is determined by adding the amount allowed to meet the items of special need to the cost of basic needs ($75 in OAS and $85 in SB).

B. Basic Continuing Needs

Following are those basic continuing needs common to all recipients which are to be met on $75 a month in OAS and $85 a month in SB. The amount needed for each of the basic needs is indicated. These amounts constitute the "yardstick" to be used to determine the amount of special need which may exist for certain individual items; also to measure the value of any basic needs which are provided the individual without cost to him.

Following are those basic continuing needs common to all recipients which are presumed to be met on $75 a month in OAS, and $85 a month in SB:

1. Food--The normal amount and kind of food needed to maintain health and vigor. This is $28.50. If the recipient pays board and room, the cost thereof is the sum of the cost of the basic needs of food, housing, and utilities (see definition of Special Needs on page 5 of this bulletin). If circumstances require that the recipient eat his meals in restaurants, see Sepcial Needs on page 3 of this bulletin.

2. Housing--Adequate, suitable, sanitary housing in the locality chosen by the applicant or recipient. The amount of rent, no utilities included, is $15.

   When the rent includes utilities the cost is $21.30 ($15 for rent and $6.30 for utilities). See Special Needs on page 3 of this bulletin.

   When the recipient occupies his own home the cost of his housing is the sum of the monthly cost of prorated taxes, insurance, the required encumbrance payment (principal and interest) if any, $2 monthly allowance for minor repair and upkeep, and any net occupancy value. When the total of these costs exceeds $15, see Special Needs on page 3 of this bulletin.

3. Utilities--Light water, and fuel needed to maintain health and comfort. If the total amount required to meet the various utilities the recipient must use exceeds $6.30, see Definition of Special Needs on page 4 of this bulletin.

4. Clothing--Adequate, healthful clothing. A total of $6.20 a month is necessary to meet this need.

5. Household Maintenance and Replacements--The occasional replacement of small items of household equipment and/or supplies. The amount required to meet this need is $4.50.

6. Transportation--Carfare in the amount of $4.50 for social and ordinary shopping purposes, or gasoline used for such purpose. If there is extra transportation cost due to certain specific circumstances, see Definition of Special Needs on page 4 of this bulletin.

7. Incidentals--The usual expenditures for haircuts, toilet articles, recreation, including expenses necessary to maintain normal social contacts, etc., totalling $10.

8. Added Allowance for Blindness (SB only)--In addition to the basic needs set forth above, an allowance of $10 is required since the over-all cost of basic needs to a blind person is more than the cost to a person without such a handicap.

C. Definition and Determination of Special Needs

Special needs are not common to all recipients, but an individual recipient may have need for one or more of them. The following Special Needs shall be taken into consideration under the circumstances and within the monetary limits indicated.

1. Food--The amount by which the cost of special diet exceeds the cost of basic food ($28.50) represents special need, and is to be computed in accordance with the department's Special Diet Schedule.

   When the circumstances require that the recipient eat his meals in restaurants, the cost in excess of basic food shall be $21.40 a month.

2. Housing--When adequate housing is not available at less cost within the community, or when a health condition requires close proximity to a medical or shopping center, or when employment of the recipient or his spouse makes proximity to the place of employment a factor, special need exists as follows:

   When rent (or the recipient's share thereof), including no utilities, exceeds $15, the amount in excess thereof represents special need.

   When rent including utilities (or the recipient's share of the total cost thereof) exceeds $21.30 ($15 rent and $6.30 utilities), the amount in excess thereof represents special need.

   When the recipient occupies his own home and the monthly total cost of prorated taxes, insurance, the required encumbrance payment (principal and interest) if any, $2 monthly allowance for minor repair and upkeep, and any net occupancy value (or the recipient's share of the total cost thereof) exceeds $15, the amount in excess of $15 represents special need.

   If it is necessary to provide safe and healthful housing, or to minimize deterioration, the expense of occasional repairs represents special need until allowance has been made for the cost of such repairs, provided the cost does not exceed the minimum for which such repairs can be secured. The plan for payment agreed upon between the contractor or vendor and the recipient shall be recorded in detail.

3. Utilities--Special need exists when (1) the recipient's health is such as to require an abnormal consumption of one or more of the utility items, (2) the housing and/or equipment construction is such that an abnormal consumption occurs, (3) the utilities used include the more expensive items such as butane, crude oil, wood, and water when the rate in the community is unusually high. Allowance shall be made for special need, when the cost of various utilities used by the recipient under these circumstances exceeds $6.30 a month, up to a maximum of $5.70 a month. (The basic allowance of $6.30 plus $5.70 results in a $12 maximum allowance for utilities.)

4. Clothing--The cost of replacement of necessary clothing destroyed in a catastrophe such as fire, flood, etc., represents a special need.

5. Replacement of Worn-out Household Equipment--Household furniture or equipment may be inadequate or substandard to a point where replacement is necessary. This may be the situation of persons whose income, prior to receipt of OAS or SB, was insufficient to meet normal requirements. It also may result from a change in the living plan. When either of these circumstances exists, the actual cost of necessary replacement or of augmenting the present supply represents special need in an amount not to exceed the minimum for which the article or articles of quality and type required can be secured.

   Replacement of necessary household equipment destroyed in a catastrophe such as a fire, flood, etc., represents special need to the extent that such possessions were not covered by insurance.

6. Transportation--When there is transportation cost due to trips to the doctor, clinic, etc., or unusually long distance trips to the nearest shopping and business center, the additional transportation expense represents a special need, not to exceed $10.50 a month. The basic allowance of $4.50 plus $10.50 results in a $15 maximum for transportation.

7. Medical Care and/or Treatment Under Other Healing Arts

   (a) The need for care or treatment by a physician or surgeon, by the practitioner of any type of therapy, subject to licensing under the Business and Professions Code, by one giving treatment by prayer or spiritual means, or by other treatment recognized as a branch of the healing arts, represents a special need in the amount actually required to purchase such service.

   (b) Sanatorium or Rest Home Care--The cost of such care represents special need within certain limitations. Since board and room is a component part of sanatorium or rest home care the charge for such care includes this need, the cost of which is $55 in OAS and $65 in SB. After deducting the specified amount for the particular category from the total cost of the sanatorium or rest home care, the balance not to exceed $145 or $135 in SB represents special need.

3. Utilities--Special need exists when (1) the resident's health is such as to require an abnormal consumption of one or more of the utility items, (2) the heating and/or equipment construction is such that an abnormal consumption occurs, (3) the utilities used include the more expensive ones such as butane, crude oil, wood, and rates more than the community is unusually high. Allowance shall be made for special need, when the cost of medical utilities used by the recipient under these circumstances exceeds $6.75 a month, up to a maximum of $9.75 a month. (The basic allowance of $6.50 plus $3.25 results in a $12 maximum allowance for utilities.)

4. Clothing--The cost of replacement of necessary clothing destroyed in a catastrophe such as fire, flood, etc., represents a special need.

5. Replacement of Non-and Semi-Durable Household--Household furniture or equipment may be inadequate or substandard to a point where replacement is necessary. This may be the situation of persons these items, prior to receipt of OAA or AB, was insufficient to meet normal requirements. It also may result from a change in the living plan. When either of these circumstances exists, the normal cost of necessary replacement or of supplying the present supply, represents a special need in an amount not to exceed the minimum for which the article or articles of quality and type required may be secured.

Replacement of necessary household equipment destroyed in a catastrophe such as a fire, flood, etc., represents a special need to the extent that such necessities were not covered by insurance.

6. Transportation--When there is transportation cost due to trips to the doctor, clinic, etc., or unusually long distance trips to the nearest community and small-town center, the additional transportation expense represents a special need, not to exceed $10.00 a month. The basic allowance of $4.50 plus $10.00 results in a $14 maximum for transportation.

7. Medical Care and/or Treatment Under Other Healing Arts

(a) The need for care or treatment by a physician or surgeon, by the practitioner of any type of therapy, subject to licensing under the Business and Professions Code, by one giving treatment by prayer or spiritual means, or by other treatment recognized as a component of the healing arts, represents a special need in the amount actually required to purchase such service.

(b) Prosthetics or Sick Room Care--The cost of such care represents special need within certain limitations. Since board and room is a component part of prosthetics or sick room care the charge for such care indicates this need. The cost of which is $45 in OAA and $45 in AB. After deducting the specified amount for the particular category from the total cost of the prosthetics or sick room care, the balance not to exceed $125 or $125 in AB represents special need.

(c) Medication--Prescriptions and proprietary drugs or other medication prescribed by practitioners of any of the healing arts and in the amount of the vendor's actual charge.

(d) Nursing Service--The need for nursing service when the physical condition of the recipient is such that such service is required and when the cost of such service does not exceed $145 in OAS and $135 in SB.

(e) Occasional Unusual Needs--The occasional or unusual needs which are due to accident or ill health, or which are necessary to preserve health and normal activity. These are:

(1) Dentures and dental work
(2) Hearing aids
(3) Eyeglasses
(4) Trusses or orthopedic appliances, wheel chairs, crutches, etc.
(5) Dressings and other sick room supplies.

It is expected that all counties will provide recipients of OAS and SB with such medical care as is customarily provided for other persons in similar circumstances.

8. Housekeeping Service--The cost of housekeeping service represents special need when the physical condition of the recipient is such that the service is required. This includes the cost of outside help to do occasional heavy cleaning, such as floors, woodwork, windows, etc., for persons who maintain their own household or live in a rented room where such service is not furnished without charge. The amount allowed for such service shall be based on the customary rate for such service in the community.

9. Laundry--The actual cost of laundry service, not to exceed the maximum of $5 a month, represents a special need when the recipient does not have facilities for doing the laundry himself or when his health or handicap prevents such activity.

10. Board and Room--If the recipient must pay board and room, and the charge for this item is in excess of $55 in OAS or $65 in SB, the excess represents special need provided board and room within the specified amounts is not available in the community.

11. Telephone--The cost of a telephone represents special need not to exceed $4.00 a month when a telephone is necessary because of a health condition, blindness, or isolation.

12. Special Needs of Blind Persons--The following items are the additional needs which may be necessary to effect physical, social, or economic adjustment of the blind recipient. When there is need for one or more of these items the actual cost thereof represents a special need.

(a) Personal services, such as a personal guide, reader, etc.

(b) Guide dog, and/or maintenance therefor. Experience with this type of need indicates that an allowance of $29.00 a month for the maintenance of a guide dog (cost of food, veterinarian fees, etc.) is reasonable; and this sum may be used in lieu of individual determination in each instance.

(c) Radio phonograph and/or radio phonograph repairs.

(d) Talking Book and/or Talking Book repairs.

(e) Typewriter and/or Braille writer.

(f) Artificial eyes.

(g) Special appliances for the blind (including purchases and/or repair) such as white canes, watches, Braille slates.

(h) Clerical assistance to supply essential reading and writing service.

13. Required payments on a debt represent special need when the debt is secured by the recipient's furniture or some other item of personal property which is a current necessity. The liquidation of debts not so secured represent a special need if the debt was for a bona fide special need and was incurred while a recipient of aid. Payments on an unsecured debt incurred while not a recipient of aid shall not be considered a current need.

D. Verification of Special Needs

Emphasis must be placed upon recognition of special needs which exist. Allowance shall be made for special needs in determining the total need of the applicant or recipient on the basis of his written or oral statement when the amount needed to meet the special need appears reasonable. Verification is required when the cost as reported by the recipient appears to be excessive.

In those instances where there is income including the value of currently used resources, there shall be recording in the case record concerning discussion with the recipient as to any special needs he may have and the amount required to meet such special needs; also the determination with regard to the establishment of need in excess of basic continuing needs.

E. New Applications

The provisions of this bulletin govern the determination of need and the amount of the security payment on all new applications, reapplications and restorations which have not yet been acted upon when the grant is effective for any month subsequent to December 31, 1948.

F. Current Cases

The provisions of this bulletin govern the adjustment to be made on current cases regardless of the month the payment becomes effective, and all necessary grant adjustments shall be made not later than April 1, 1949.

If the amount of security paid for January, February or March was correct according to the budget schedule used to compute the payment made for those months, no overpayment shall be considered to have occurred even though the amount of security paid was greater than the amount the recipient would have received had the provisions of this bulletin been in effect.

If in the course of making adjustment on current cases it develops that the recipient had special needs as defined herein in January, February or March which were not taken into consideration in determining the payment for those months, or adjustment for those months is necessary for other reason such as a change in the amount of income, any retroactive security due on the basis of the provisions of this bulletin shall be allowed

Adjustments on current cases may be reported by individual Notice of Change or by use of a list.

If lists are used to report the change (either increase or decrease) they must be submitted in duplicate and the cases must be listed in numerical order according to state number. The following statement must appear at the beginning of each list:

The security payments of the following recipients of OAS (SB) are adjusted effective (insert date) on the basis of their total need determined by adding the cost of special items of need to $75 ($85 in SB).

State Number	Name	Amt. of Grant From Date of Change	Total Income Other Than Grant	Source and Amount of Income	Total Need

The certification of the local Deputy Director SDSW shall be affixed on the last page of the list as follows:

> I certify that the persons listed on pages ___ through ___ are eligible to OAS (SB) in the amount set forth opposite each name, that supporting evidence is in the case record where it is open to inspection by duly authorized State and federal representatives, and I authorize payments to be made to said persons in the amounts specified.

_____ Deputy Director SDSW

_____ Date

G. Value of Contributions in Kind

The following revision to the ruling stated in Manual Section 152-90, Value of Contributions in Kind, is effective immediately for OAS and SB.

The value placed upon rent, utilities, food, or other items of support contributed in kind to an applicant or recipient shall not be in excess of an amount which will permit the recipient to meet his other needs such as incidentals, transportation, etc. The value placed upon free rent shall not exceed $15. The value placed on free rent and utilities shall not exceed $21.30 ($15 for rent and $6.30 for utilities). The value placed on free food shall not exceed $28.50. When free room and board are provided the recipient ordinarily has no expense for household maintenance and replacements, in which case the value of the free room and board shall be the sum of the values placed upon free food, free rent, and utilities, and household maintenance and replacements ($4.50). If the board and room does not include all of these items the total value of the items which are included shall be regarded as the value of the board and room.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 17, 1950

DEPARTMENT BULLETIN NO. 359-A (Revised) (OAS, ANB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Determination of Security Payments (OAS, ANB)

As provided in Bulletin 359, there shall be a recording in the case record concerning discussion with the applicant or recipient as to special needs the applicant or recipient may have and the amount required to meet such needs. The record shall show the determination with regard to the establishment of the amount of special need.

Form Temp. 158 Ag, Computation of Total Need and Security Payment for Old Age Security and Form Temp. 158 SB, Computation of Total Need and Security Payment for Security To The Blind (ANB) shall be used to compute total need and the amount of the security payment. The left half of the form is used for exploration of the applicant's or recipient's special need, and to record the cost of items of special need as well as of those items of basic need which may represent a special need. The right half of the form is used to record the amount established for individual items of special need, and to record the amount of total need.

The bottom of the form under "Summary" contains appropriate spaces to record total income on the left side and the computation of the security payment on the right side.

The attached forms have been completed to demonstrate their use in the following examples:

OAS — Example: The recipient is paying $35 rent, which includes utilities, and it is inadvisable for him to move because of a serious health condition. His medicine costs $10 a month and he must use a taxi to go to the clinic which costs $12 a month. He receives $40 Railroad Retirement income.

ANB — Example: The recipient is paying $45 rent, which includes utilities, and it is inadvisable for him to move because of the necessity for close proximity to a shopping center. His telephone costs $4 a month. Due to his handicap he must pay $7 a month for laundry and $7.50 a month for house cleaning service. He receives $45 Railroad Retirement income.

The completed Form Temp. 158 shall be filed in the case record. The circumstances which justify allowance of special needs shall be recorded on the form, or in the case narrative.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachments

OLD AGE SECURITY
COMPUTATION OF TOTAL NEED AND SECURITY PAYMENT

Living as a Member of a Household Group ____ Yes ____ No X

If Yes, Number in Household ____

Case Name John Doe

State No. SAC 1234 Ag County No. 3215

Basic Need $75.00

Possible Items of Special Need	Cost	Amount of Special Need Established	
1. Food ☐ Special Diet ☐ Restaurant Meals		Amount of Excess	
2. Rent ☐ Including Utilities	$35.00	Amount of Excess (See Bull. 359, Page 3, Housing)	$13.70
☐ X Not Including Utilities		Amount of Excess	
		Why Excess Necessary? Illness	
3. Own Home Expense for Repair? No ☐ Yes ☐		If Yes, Total Cost ____ Recipient's Mo. Share	
Taxes ____		Specify Nature of Repairs, How Cost Determined	
Insurance ____			
Encumbrance ____			
Upkeep ____			
TOTAL ____ + Occ. Val. ____ =	____ (1)	Amount of Excess	
4. Utilities Gas ____		If Special Need Is Allowed for Utilities State Reason	
Electricity ____			
Water ____			
Other ____			
Total ____	____ (2)	Amount of Excess ____ Allowable Excess (3)	
5. Board and Room		Amount of Excess	
6. Transportation	$12.00	Amount of Excess $12.00 Allowable Excess (3)	$10.50
Specify Reason for, and How Cost Determined		(See Bulletin 359, Page 4, Transportation)	
Illness, must use taxis for doctor & clinic calls & round trips per mo. @ $1.50			
7. Medical Care No ☐ Yes ☐ X		M.D. or Other, Per Month	
(If Yes, Complete Appropriate Items in Right Hand Column)		Prescriptions, Drugs, Etc.	
		Glasses, Dentures, Etc., Specify	$10.00
		Sanitarium Cost ____ Allowable Excess (3)	
		Nursing Care Cost ____ Allowable Excess (3)	
8. Laundry		Amount Allowed (Must Not Exceed Maximum)	
9. Telephone		Amount Allowed (Must Not Exceed Maximum)	
		Reason: Health ☐ Blindness ☐ Isolation ☐	
10. Housekeeping Service		Amount Allowed (because recipient unable to do)	
Specify			
11. Debt for a Special Need? No ☐ Yes ☐		If Yes, Amount (Explain Fully in Record)	

TOTAL NEED $109.20

SUMMARY

INCOME		DETERMINATION OF SECURITY PAYMENT	
SOURCE	AMOUNT		
Net Value of Occupancy, If Any		Total Need	$109.20
Other Railroad retirement	$40.00	Total Income	40.00
		Difference Between Need and Income	69.20
		Amount of Security Recommended	70.00
TOTAL INCOME	$40.00		

Computed By Mary Jones

Date February 25, 1949

(1) If home owned with others this is the recipient's share of ownership costs plus the occupancy value, if any.
(2) Enter recipient's share if others in household.
(3) Enter the amount of the excess, except when the excess exceeds the maximum enter the maximum.

SECURITY FOR THE BLIND
COMPUTATION OF TOTAL NEED AND SECURITY PAYMENT

Living as a Member of a Household Group _____ Yes X No

If Yes, Number in Household _____

Case Name John Doe

State No. SAC 1234 Bl County No. 3215

Basic Need $85.00

Possible Items of Special Need	Actual Cost	Amount of Special Need Established	
1. Food ☐ Special Diet ☐ Restaurant Meals	_____	Amount of Excess	
2. Rent ☒ Including Utilities	$45.00	Amount of Excess (See Bull 359, Page 3, Housing)	$ 23.70
☐ Not Including Utilities	_____	Amount of Excess _____	
		Why Excess Necessary? Proximity to shopping	
3. Own Home Expense for Repair? NO ☐ YES ☐		If Yes, Total Cost _____ Recipient's Mo. Share	
Taxes _____		Specify Nature of Repairs, How Cost Determined	
Insurance _____			
Encumbrance _____			
Upkeep _____			
TOTAL _____ + Occ. Val. _____ = _____ (1)		Amount of Excess	
4. Utilities Gas _____		If Special Need is Allowed for Utilities State Reason	
Electricity _____			
Water _____			
Other _____			
Total _____	_____ (2)	Amount of Excess _____ Allowable Excess (3)	
5. Board and Room	_____	Amount of Excess	
6. Transportation	_____	Amount of Excess _____ Allowable Excess (3)	
Specify Reason for, and How Cost Determined		(See Bulletin 359, Page 4, Transportation)	
7. Medical Care No ☐ Yes ☐		M.D. or Other, Per Month	
(If Yes, Complete Appropriate Items in Right Hand Column)		Prescriptions, Drugs, Etc.	
		Glasses, Dentures, Etc., Specify	
		Sanitarium Cost _____ Allowable Excess (3)	
		Nursing Care Cost _____ Allowable Excess (3)	
8. Laundry	$ 7.00	Amount Allowed (Must not Exceed Maximum)	$ 5.00
9. Telephone	$ 4.00	Amount Allowed (Must not Exceed Maximum)	$ 4.00
		Reason: Health ☐ Blindness ☒ Isolation ☐	
10. Housekeeping Service	$ 7.50	Amount Allowed	$ 7.50
Specify 10 hrs a month @ .75 an hour		Why necessary? Recipient unable to do	
11. Debt for a Special Need? No ☐ Yes ☐		If Yes, Amount (Explain Fully in Record)	
12. Special Need Because of Blindness? No ☐ Yes ☐		If Yes, Specify	
		TOTAL NEED	$125.20

SUMMARY

INCOME — SOURCE	AMOUNT
Net Value of Occupancy, If Any	_____
Other Railroad Retirement	$45.00
TOTAL INCOME	$45.00

COMPUTATION OF SECURITY PAYMENT	
Total Need	$125.20
Total Income	45.00
Difference Between Need and Income	80.20
Amount of Security Recommended	81.00

Computed By Mary Jones

Date February 25, 1949

1) If home owned with others this is the recipient's share of ownership costs plus the occupancy value, if any.
2) Enter recipient's share if others in household.
3) Enter the amount of the excess, except when the excess exceeds the maximum enter the maximum.

Form Temp 158 SB, February 1949

TITLE 22-CH. 2.

Certified as a Regulation (or Regulations) of the

Dept. of Social Welfare

(Name of State Agency)

Myrtle Cullinan

(Signature)

Director

(Title)

1/16/50

(Date)

MYRTLE WILLIAMS
Director

W&IC 103, 2140, 3025

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 17, 1950

FILED
In the Office of the Secretary of State
of the State of California

JAN 18 1950
At 11:20 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

DEPARTMENT BULLETIN NO. 393 (FISCAL)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Estimates and Advances

Chapter 9, Statutes of 1949 (first extraordinary session) prescribes that, inclusive of federal funds, "the State shall pay to each county the full amount of the obligations incurred by the county. . .for administration. . .as found necessary by the State Department of Social Welfare, with the approval of the State Department of Finance, for the proper and efficient administration of . . .aid."

Moreover, Chapter 8, Statutes of 1949 (first extraordinary session) prescribes that, inclusive of federal funds, "the State shall pay to every county . . .a sum equal to the full amount expended for. . .aid."

Funds will be made available on an advance basis, to be accounted for by a monthly claim, subject to audit, adjustment, and final settlement. Funds made available pursuant to the above laws shall be kept segregated from other funds by means of separate accounts.

Under Article XXV and operations under agreements with counties, the total amount of money advanced to a county came from the General Fund, which fund was reimbursed to the extent federal money was received. Under Article XXVII this will no longer be possible; the estimated state share will come from the General Fund, and the estimated federal share will come from federal moneys in the Social Welfare Fund. Federal funds are remitted monthly to the State on the basis of a quarterly estimate. It is essential, therefore, that counties prepare their estimates on a quarterly basis, also, in order that sufficient federal funds may be requested for the quarter. The State's estimate for the quarter 4/1/50 - 6/30/50 must be submitted to the Federal Government on or before 2/15/50. It is imperative therefore, that the county's estimate for the quarter 4/1/50 - 6/30/50 be received by the SDSW on or before 2/6/50.

A separate estimate is necessary for OAS assistance, ANB assistance and OAS-ANB administration.

Estimates for OAS and ANB Assistance

Sections 2 and 5 of Chapter 8 (first extraordinary session) prescribe that the State Department of Social Welfare shall estimate the amount of federal and state monies to be forwarded to counties for the month of March 1950.

With respect to the months of April, May, and June 1950, counties shall submit estimates in triplicate on Form Ag 809 (revised January 1950) for OAS and on Form Bl 809 (revised January 1950) for ANB. Estimates for APSB will be filed separately in accordance with established procedure.

Estimates shall reach the State Department of Social Welfare on or before February 6, 1950, in order that they may be combined into the estimate to be submitted to the Federal Social Security Administration on or before February 15, 1950.

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO
January [illegible]

[illegible]

[illegible]

[

Estimates for OAS-ANB Administration

Under the statute, the State Department of Social Welfare has the responsibility to pay such costs of administration of OAS and ANB as it finds necessary for the proper and efficient administration of these programs. Any actions in this regard by the State Department of Social Welfare are subject to the approval of the State Department of Finance. In order to allow the State Department of Social Welfare and the State Department of Finance to fulfill this obligation, counties shall submit a financial plan or budget estimate for the period 3/1/50 through 6/30/50 for the administration of the OAS and ANB programs.

The proposed budget estimate, when approved by the State Department of Social Welfare and the State Department of Finance, constitutes the maximum extent to which allocated expenditures reported on the monthly claim will be allowed. Any obligations incurred by a county beyond the limitation of the budget estimate will not be allowed unless a supplemental budget estimate has been submitted and approved.

In the submission of the proposed budget, the county shall be guided primarily by its continuing plan for administration of these programs and shall provide sufficient personnel to perform the work in a proper and efficient manner.

In judging a county's proposed budget estimate the State will be guided by the relationship existing between the number of recipients and the total man-months anticipated to be devoted to the programs. The State Department of Social Welfare will be guided also by the ratio of case workers to other personnel and by the compensation scales in effect in the county. The organizational plan of a welfare department will also be a factor in judging the budget estimate; e.g., some counties perform disbursement and/or building maintenance functions within the welfare department. With respect to maintenance and operation the rate of proposed expenditures will be compared to the county's rate of expenditure for similar items during past periods.

Equipment, as found necessary, will be available on loan from the State. For policies and procedures relating to equipment, refer to Department Bulletin No. 392.

Estimates for the combined estimated cost of administration of OAS and ANB shall be submitted in triplicate to reach the State Department of Social Welfare, 616 K Street, Sacramento, on or before February 6, 1950. Estimates shall be submitted on the following budget request forms in whole dollars:

Schedule A -- Summary Schedule
Schedule B -- Salaries and Wages - County Welfare Department
Schedule C -- Personnel Classifications
Schedule D -- Maintenance and Operation
Schedule E -- Supporting Schedule of Rent

A copy of Schedule A, with the action of the State Department of Social Welfare and the State Department of Finance noted thereon, will be returned to the county.

Schedule A is merely a summary and certification. All of the figures on this schedule are derived from subsidiary schedules.

Schedule B is a statement by months, of man months and salaries for Old Age Security and Aid to Needy Blind in the county welfare department. APSB is excluded.

Administrative functions are those culminating in the granting of assistance by the boards of supervisors. They include accounting processes not directly related to the processes of issuing warrants. Disbursement functions are those which begin with, or depend upon, the action of the boards of supervisors in granting or changing the amount of assistance and which lead to the issuance of a warrant. Building maintenance functions refer to those performed by janitorial, custodial, or maintenance personnel.

Administrative functions are subdivided into four subfunctions:

"Administration" refers to the personnel with responsibility for direction of major divisions of the county welfare department. "Supervision of case workers" refers to all personnel in the classes normally used for supervising case workers. "Case workers" refer to all persons in the classes normally assigned to caseloads or carrying on investigating processes. "Clerical personnel" refers to those persons in clerical classes.

"Man months" is defined as the total hours allocated, either directly or by pro-ration, to the OAS and ANB programs divided by the number of working hours in the month in question. This definition does not preclude an estimation of man-months directly without computation of hours.

Totals on this schedule are to be carried forward to Schedule A.

Schedule C is merely a statement of the classes which are employed in the functions and subfunctions shown in Schedule B. It is not necessary to show the number of persons in each class.

Schedule D is a statement of the anticipated expense in various categories under maintenance and operation. The categories are self-explanatory. Costs normally identified under Sections 645-35, 645-37, and 645-39 of the Manual of Policies and Procedures will be shown separately under "Other." Under Section 645-39, extensive painting and decorating is excluded from "service and maintenance costs in lieu of rent." Section 645-37 is revised to the extent that expenditures for repairs and alterations will be allowed on an amortization basis.

Services rendered by other county agencies shall be described under the titles shown in Sections 645-23, 645-24, 645-27, and 645-28 of the Manual of Policies and Procedures. On an attached sheet the county shall show the functions performed by each such other agency and shall relate the amount of money requested either to past expenditure, to workload, or to some other basis of estimate.

Schedule E. Each existing lease, all or part of the cost of which is to be borne from funds under Chapter 9/49 First Extraordinary Session shall be described in Schedule E. Space needs which are anticipated but for which no leases have yet been negotiated shall be described in this schedule, by location, to the extent possible. The total monthly rentals shown on this schedule shall be carried forward to Schedule D.

Counties finding it necessary to request funds for preparatory operations prior to March 1, 1950, may submit requests to the State Department of Social Welfare. The county shall set forth in a written statement the amount requested for each month, the specific functions to be performed, the number of persons involved, and an itemization of the money amounts requested. The amount of the request shall be inserted in Schedule A, with the appropriate month indicated, and the certifications completed. The amount approved by the State constitutes the maximum extent to which reimbursement will be made.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

An act making an appropriation to the counties and cities and counties of the State for expenditure during the 1949-1950 Fiscal Year for aid to the aged and aid to the needy blind, providing for the method of computation, payment, and disbursement thereof, and declaring the urgency thereof, to take effect immediately.

The people of the State of California do enact as follows:

SECTION 1. The State shall pay to every county within the State providing aid to the aged under the Old Age Security Law (Chapter 1 of Division 3 of the Welfare and Institutions Code) a sum equal to the full amount expended for such aid by the county, from the time Article XXVII of the State Constitution becomes both effective and operative until July 1, 1950, excluding any payments of such aid for any time after June 30, 1950, after deducting therefrom the amount of any sum received by the State from the United States as old-age assistance and paid by the State to the county pursuant to the provisions of the Welfare and Institutions Code for that period.

Funds paid to any county under this section shall be used exclusively for the purpose specified in this section, and the county shall remain accountable therefor.

This section shall remain in effect until July 1, 1950. While this section is in effect it shall supersede Section 2021 of the Welfare and Institutions Code, and wherever in any provision of law reference is made to the said Section 2021, such reference shall be deemed to refer to this section; but Section 2021 of the Welfare and Institutions Code is not repealed by this section, and after this section is no longer effective Section 2021 of the Welfare and Institutions Code shall have the same force and effect as though this section had not been enacted.

SEC. 2. The sums to be paid to the counties under Section 1 of this act shall be computed, paid, reported, and audited in the manner set forth in Sections 2188 and 2189 of the Welfare and Institutions Code, except that on or before February 20, 1950, the State Department of Social Welfare, from the records of the department, shall estimate the amount to be expended by each county for aid to the aged under the Old Age Security Law during the calendar month of March, 1950, and shall certify to the State Controller the amounts so estimated by it, and the State Controller shall thereupon draw the necessary warrants, and, prior to audit or settlement by the State Department of Social Welfare and the Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

This section shall remain in effect until July 1, 1950. While this section is in effect it shall supersede Section 2187 of the Welfare and Institutions Code, and wherever in any provision of law reference is made to the said Section 2187, such reference shall be deemed to refer to this section; but Section 2187 of the Welfare and Institutions Code is not repealed by this section, and after this section is no longer effective Section 2187 of the Welfare and Institutions Code shall have the same force and effect as though this section had not been enacted.

SEC. 3. On or before February 20, 1950, the State Department of Social Welfare, with the approval of the Social Welfare Board, shall determine as accurately as possible from its records and such investigation as may be necessary and feasible and shall certify to each county the names of persons who will be entitled to receive aid to the aged under the Old Age Security Law from the county for the calendar month of March, 1950, or any part thereof, in accordance with the rules of the Social Welfare Board and the laws which will be in effect and operative on March 1, 1950, together with the

amount of the grant which each such person will be entitled to receive for the calendar month of March, 1950, or any part thereof. The county may accept that certification of the State Department of Social Welfare in lieu of the determination of eligibility and amount of grant otherwise required to be made by the county, or any officer or agency thereof, and the county may disburse the sums specified to those persons in accordance with that certification. No item of aid for the month of March, 1950, disbursed by the county in accordance with that certification shall thereafter be disallowed by the State or any officer or agency thereof, or charged to or against the county in the computation and payment of state assistance to the county for any future period of time.

SEC. 4. The State shall pay to every county within the State providing aid to needy blind persons under Chapter 1 of Part 1 of Division 5 of the Welfare and Institutions Code a sum equal to the full amount expended for such aid by the county, from the time Article XXVII of the Constitution becomes both effective and operative until July 1, 1950, excluding any payments of such aid for any time after June 30, 1950, after deducting therefrom the amount of any sum received by the State from the United States for aid to the needy blind and paid by the State to the county pursuant to the provisions of the Welfare and Institutions Code for that period.

Funds paid to any county under this section shall be used exclusively for the purpose specified in this section, and the county shall remain accountable therefor.

This section shall remain in effect until July 1, 1950. While this section is in effect it shall supersede Section 3025 of the Welfare and Institutions Code, and wherever in any provision of law reference is made to the said Section 3025, such reference shall be deemed to refer to this section; but Section 3025 of the Welfare and Institutions Code is not repealed by this section, and after this section is no longer effective Section 3025 of the Welfare and Institutions Code shall have the same force and effect as though this section had not been enacted.

SEC. 5. The sums to be paid to the counties under Section 4 of this act shall be computed, paid, reported, and audited in the manner set forth in Sections 3087.2 and 3087.3 of the Welfare and Institutions Code, except that on or before February 20, 1950, the State Department of Social Welfare, from the records of the department, shall estimate the amount to be expended by each county for aid to the needy blind under Chapter 1, Part 1, Division 5 of the Welfare and Institutions Code during the calendar month of March, 1950, and shall certify to the State Controller the amounts so estimated by it, and the State Controller shall thereupon draw the necessary warrants, and, prior to audit or settlement by the State Department of Social Welfare and the Controller, the State Treasurer shall pay to the treasurer of each county the amount so certified.

This section shall remain in effect until July 1, 1950. While this section is in effect it shall supersede Section 3087.1 of the Welfare and Institutions Code, and wherever in any provision of law reference is made to the said Section 3087.1, such reference shall be deemed to refer to this section; but Section 3087.1 of the Welfare and Institutions Code is not repealed by this section, and after this section is no longer effective Section 3087.1 of the Welfare and Institutions Code shall have the same force and effect as though this section had not been enacted.

SEC. 6. On or before February 20, 1950, the State Department of Social Welfare, with the approval of the Social Welfare Board, shall determine as accurately as possible from its records and such investigation as may be necessary and feasible and shall certify to each county the names of persons who will be entitled to receive aid to the needy blind under Chapter 1, Part 1, Division 5 of the Welfare and Institutions Code from the county for the calendar month of March, 1950, or any part

thereof, in accordance with the rules of the Social Welfare Board and the laws which will be in effect and operative on March 1, 1950, together with the amount of the grant which each such person will be entitled to receive for the calendar month of March, 1950, or any part thereof. The county may accept that certification of the State Department of Social Welfare in lieu of the determination of eligibility and amount of grant otherwise required to be made by the county, or any officer or agency thereof, and the county may disburse the sums specified to those persons in accordance with that certification. No item of aid for the month of March, 1950, disbursed by the county in accordance with that certification shall thereafter be disallowed by the State or any officer or agency thereof, or charged to or against the county in the computation and payment of State assistance to the county for any future period of time.

SEC. 7. As used in this act, "county" includes "city and county," and "Social Welfare Board" means the board appointed by the Governor pursuant to Section 101 of the Welfare and Institutions Code.

SEC. 8. The Social Welfare Board shall adopt and distribute to the counties as soon as possible and in any event prior to March 1, 1950, such rules and regulations consistent with the laws to be in effect and operative on and after March 1, 1950, as may be necessary or convenient for the administration of aid to the aged and aid to the needy blind on and after March 1, 1950, and the expenditure of the sums to be paid to the counties under this act, including but not limited to rules and regulations to facilitate determination of the eligibility of individuals to receive such aid and the amount of the grant to which each eligible individual is entitled.

SEC. 9. There is hereby appropriated out of any money in the General Fund the amount necessary to carry out the provisions of Sections 1 and 4 of this act.

SEC. 10. This act shall become operative at the time it takes effect, and shall continue in effect until July 1, 1950, but shall have no force or effect after June 30, 1950. This act shall be considered to be the latest legislative expression upon the matters herein contained, and it is the intention of the Legislature that wherever in this act provision is made that any section of the Welfare and Institutions Code is superseded by any provision of this act, such provision refers to that section of the Welfare and Institutions Code as re-enacted, revived and declared to be fully and completely effective by subdivision (b) of Section 3 of Article XXVII of the Constitution.

SEC. 11. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

By the adoption of Proposition No. 2 at the special state election held on November 8, 1949, Article XXVII was added to the Constitution, transferring to the counties certain functions of administering and disbursing aid to the aged and aid to the needy blind heretofore exercised by the State. Article XXVII will become operative on March 1, 1950. It requires the counties to disburse to recipients of such aid moneys not now available to the counties. To provide the necessary moneys, and so to prevent any delay or interruption in carrying out the state plans for old age assistance and aid to the needy blind and in the payment of aid to the aged and aid to the needy blind to the individuals eligible therefor, it is necessary that this act take effect immediately.

[illegible]

[illegible]

[illegible]

An act making an appropriation to the counties and cities and counties of the State for the cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately.

The people of the State of California do enact as follows:

Section 1. In addition to any moneys made available by the United State Government to this State for the costs of administering the state plan for old-age assistance and the state plan for aid to the needy blind and paid to the counties under Part 2 of Section 2186 and Part 2 of Section 3087 of the Welfare and Institutions Code, respectively, the State shall pay to each county the full amount of the obligations incurred by the county from the effective date of this act until July 1, 1950, for administration of aid to the aged and aid to the needy blind, including the cost of disbursement thereof, after deducting therefrom the amount paid to the county under Part 2 of Section 2186 and Part 2 of Section 3087 of the Welfare and Institutions Code, as found necessary by the State Department of Social Welfare, with the approval of the State Department of Finance, for the proper and efficient administration of such aid.

The amounts provided for in this section shall be computed and paid for each quarter in the manner provided in Section 2188 of the Welfare and Institutions Code, except that the State Department of Social Welfare shall not certify the amount estimated by it for any county for any quarter to the State Controller until its estimate has first been approved by the State Department of Finance, and the State Controller shall not draw the necessary warrants until the certification of the State Department of Social Welfare has also been approved by the State Department of Finance.

Funds paid to any county under this section shall be used exclusively for the purposes specified in this section, and the county shall remain accountable therefor, and shall make reports at times and in the manner prescribed by the State Department of Social Welfare. Such reports shall be audited by the State Department of Social Welfare and the State Controller and, when and in the amount approved, shall be allowed to the county as a credit to apply against advances made under the terms of Section 2188.

Sec. 2. The moneys paid to the counties under Section 1 of this act, not to exceed the sum of two million dollars ($2,000,000), shall be paid from the sum appropriated by Item 261 of the Budget Act of 1949 for the support of the State Department of Social Welfare.

Sec. 3. As used in this act, "county" includes "city and county," and "counties" includes "cities and counties."

Sec. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

By the adoption of Proposition No. 2 at the special state election held on November 8, 1949, Article XXVII was added to the Constitution, transferring to the counties of the State certain functions of administering aid to the aged and aid to the blind. Article XXVII will become fully operative on March 1, 1950, and preparation for the exercise of those functions must be made by the counties prior to that

date. Money to pay the county cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year and of preparation therefor is not available to the counties. To make the necessary moneys available, and so to prevent any delay or interruptions in the administration of the state programs of aid to the aged and aid to the needy blind, and in payment of such aid to needy individuals eligible, therefor, it is necessary that this act take effect immediately.

CHAPTER 36

Senate Concurrent Resolution No. 10—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind aid programs.

WHEREAS, Article XXVII of the State Constitution is now effective and will become operative on March 1, 1950, thereby returning to the Legislature complete authority over the aged and blind aid programs of this State and their administration; and

WHEREAS, During the operation of Article XXV of the Constitution, substantial amounts of furniture, office equipment and other personal property were acquired by the State for the administration of the aged and blind aid programs, such acquisition being either through direct purchase by the State for "district welfare offices" or indirectly through reimbursement by the State of purchases by counties; and

WHEREAS, The aforementioned furniture, office equipment and other personal property will be needed by the various counties for use in connection with the administration of aged and blind aid during the period from March 1, 1950, through June 30, 1950; and

WHEREAS, Federal funds have been used in the purchase of the aforementioned personal property to the extent of approximately 47 percent of the purchase price thereof, which federal funds must be repaid if the property is not continued to be used in the administration of the aged and blind aid programs; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Director of Finance is hereby urged and requested to make available to the various counties for the purpose of administration of the aged and blind aid programs during the period beginning March 1, 1950, and ending June 30, 1950, such furniture, office equipment and other personal property purchased by or paid for by the State during the period beginning January 1, 1949, and ending February 28, 1950, and acquired for use in the administration of the aged and blind aid programs either by the various counties operating under contract with the State or by the State Department of Social Welfare for use in its "district offices" as are found necessary by the State Department of Social Welfare, with the approval of the State Department of Finance, for the proper and efficient administration of such aid; and provided further, that all property so made available shall be receipted for in writing by an authorized representative of the county receiving or retaining possession of such property in order that proper record of such property will be maintained at all times.

- -
President of the Senate

- -
Speaker of the Assembly

Attest:

- -
Secretary of State

CHAPTER [illegible]

[illegible]

[illegible]

[

STATE DEPARTMENT OF SOCIAL WELFARE
OAS AND ANB BUDGET REQUEST (CHAPTER 9/49 - FIRST EXTRAORDINARY SESSION
SUMMARY SCHEDULE

Number of Recipients

	OAS	ANB	TOTAL	RESERVED FOR STATE Approved	RESERVED FOR STATE Approved
March					
April					
May					
June					
Total					

SUMMARY

	Requested Man Months	Requested Dollars	Approved Man Months	Approved Dollars
SALARIES AND WAGES (Brought forward from Schedule B)				
March				
April				
May				
June				
MAINTENANCE AND OPERATION (Brought forward from Schedule D)				
March				
April				
May				
June				
TOTAL Salaries and Wages, and Maintenance and Operation				
March				
April				
May				
June				
Total				

FOR STATE USE ONLY

	OAS Federal	OAS State	ANB Federal	ANB State
March				
April				
May				
June				

CERTIFICATION

_____, being duly sworn, deposes and says that: he is the county official responsible for the administration of the OAS and ANB laws in and for this county; that this statement of estimated administrative expense is true and correct. Affiant requests that Federal and State grants be advanced to cover these estimated expenses in accordance with the provision of Chapter 9, Statutes of 1949, First Extraordinary Session.

Subscribed and sworn to before me
this_____day of_____, 1950

_____
County Welfare Director

Approved_____
Chairman, Board of Supervisors

_____

Schedule A

STATE DEPARTMENT OF SOCIAL WELFARE
OAS and ANB Budget Request (Chapter 9/49 - First Extraordinary Session)

County of_____

SCHEDULE OF SALARIES AND WAGES - COUNTY WELFARE DEPARTMENT

Description	March		April		May		June		Reserved for State
	Man Months	Dollars	Man Months	Dollars	Man Months	Dollars	Man Months	Dollars	
Administrative Functions:									
Administration									
Supervision of Case Workers									
Clerical Personnel									
Case Workers									
Total Administrative Functions									
Disbursement Processes:									
Building Maintenance Functions									
Total Salaries and Wages - CWD (Carry Forward to Schedule A)									

Schedule B

STATE DEPARTMENT OF SOCIAL WELFARE

OAS AND ANB BUDGET REQUEST (CHARTER 9/49 - FIRST EXTRAORDINARY SESSION)

Schedule of Personnel Classification

List Classes and Salary Ranges in the Welfare Department	Indicate (X) functions and subfunctions in which these classes are employed					
	Administrative Processes					
	Adminis-tration	Supervision of Case Workers	Case Workers	Clerical	Disburse-ment	Building Main-tenance
Example:						
Senior Clerk 220 - 260				X	X	

Schedule C

STATE DEPARTMENT OF SOCIAL WELFARE
OAS AND ANB BUDGET REQUEST (CHAPTER 9/49 - FIRST EXTRAORDINARY SESSION)

COUNTY OF _____

Schedule of Maintenance and Operation - Welfare Department

DESCRIPTION (SUB-OBJECT)	MARCH	APRIL	MAY	JUNE	RESERVED FOR STATE
Office Supplies, Printing and Publications					
Telephone, Telegraph and Postage					
Traveling and Transportation (Include Auto Expense)					
Light, Heat, Water and Power					
Rent and Maintenance of Equipment (Do Not Include Rent for County-owned Equipment)					
Janitorial Supplies and Services					
Vital Statistics and Social Service Exchange					
Blind Examinations					
Other (Specify) _____					
_____					
Subtotal					
Rent (Submit Details on Schedule E)					
Services Rendered by Other County Agencies (Specify) _____					
_____					
_____					
Retirement Contribution					
Total Maintenance and Operation (Carry Forward to Schedule A)					

Schedule D

TATE DEPARTMENT OF SOCIAL WELF

OAS AND ANB BUDGET REQUEST (CHAPTER 9/49 - FIRST EXTRAORDINARY SESSION)

COUNTY_____

SUPPORTING SCHEDULE OF RENT - WELFARE DEPARTMENT

Location

Lessor

Beginning date of lease

Expiration date of lease

Total area in square feet

Area in square feet allocable to OAS and ANB

Total monthly rent

Monthly rent allocable to OAS and ANB

Are services included in lease? Yes____No____

If yes, check which

Lights _____

Heat _____

Water _____

Power _____

Janitorial _____

Other (specify) _____

Location

Lessor

Beginning date of lease

Expiration date of lease

Total area in square feet

Area in square feet allocable to OAS and ANB

Total monthly rent

Monthly rent allocable to OAS and ANB

Are services included in lease? Yes____No___

If yes, check which

Lights _____

Heat _____

Water _____

Power _____

Janitorial _____

Other (specify) _____

Schedule E

STATE OF CALIFORNIA

FORWARD THREE COPIES TO
STATE DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO 14, CALIFORNIA

OLD AGE SECURITY
CLAIM FOR ESTIMATED EXPENDITURES FOR SECURITY

FROM _____ COUNTY

QUARTER BEGINNING APRIL 1, 1950, AND ENDING JUNE 30, 1950

	APRIL 1950 Col 1	MAY 1950 Col 2	JUNE 1950 Col 3
1. NUMBER OF RECIPIENTS			
2. AVERAGE AID PAYMENT			
3. TOTAL ASSISTANCE (Item 1 x Item 2)			
4. ASSISTANCE IN EXCESS OF $50.00			
5. FEDERAL PARTICIPATING BASE (Item 3 less Item 4)			
6. FEDERAL FUNDS FOR ASSISTANCE (Item 1 x $5.00 plus ½ of Item 5)			
7. STATE FUNDS FOR ASSISTANCE (Item 3 less Item 6)			

_____ being duly sworn, deposes and says: That he is the county official responsible for the administration of Old Age Security in and for the said county; that the above is a true and correct statement of the estimated expenditures for security under the Old Age Security Law, Chapter 1 of Division 3 of the Welfare and Institutions Code, and Amendments thereto, and Title 1 of the Social Security Act, and Amendments thereto, and that the provisions of same will be complied with in the expenditure of these funds. Affiant requests that the Federal and State Grants shown above be advanced to the said county under the provisions of Chapter 8, Statutes of 1949, First Extraordinary Session, subject to adjustment by the State Department of Social Welfare.

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY

OF _____ 19 _____

_____

TITLE _____

_____
Signature of Director or Official in Charge

TITLE _____

APPROVED: _____
Chairman, Board of Supervisors

C A S H

Form AG 809, Revised January 1950

STATE OF CALIFORNIA

FORWARD THREE COPIES TO
STATE DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO 14, CALIFORNIA

AID TO NEEDY BLIND
CLAIM FOR ESTIMATED EXPENDITURES FOR SECURITY

FROM _____ COUNTY

QUARTER BEGINNING APRIL 1, 1950, AND ENDING JUNE 30, 1950

	APRIL 1950 Col 1	MAY 1950 Col 2	JUNE 1950 Col 3
1. NUMBER OF RECIPIENTS			
2. AVERAGE AID PAYMENT			
3. TOTAL ASSISTANCE (Item 1 x Item 2)			
4. ASSISTANCE IN EXCESS OF $50.00			
5. FEDERAL PARTICIPATING BASE (Item 3 less Item 4)			
6. FEDERAL FUNDS FOR ASSISTANCE (I(Item 1 x $5.00 plus ½ of Item 5)			
7. STATE FUNDS FOR ASSISTANCE (Item 3 less Item 6)			

_____ being duly sworn, deposes and says: That he is the county official responsible for the Administration of Aid to the Blind in and for the said county; that the above is a true and correct statement of the estimated expenditures under Chapters 1 and 3 of Part 1 of Division 5 of the Welfare and Institutions Code, and Amendments thereto, and Title X of the Social Security Act, and Amendments thereto, and that the provisions of same will be complied with in the expenditures of these funds. Affiant requests that the Federal and State Grants shown above be advanced to the said county under the provisions of Chapter 8, Statutes of 1949, First Extraordinary Session, subject to adjustment by the State Department of Social Welfare.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY

OF _____ 19 _____

_____

TITLE _____

_____
Signature of Director or Official in Charge

TITLE _____

APPROVED: _____
Chairman, Board of Supervisors

C A S H

Form Bl 809, Revised January 1950

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
January 20, 1950

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
In the Office of the Secretary of State
of the State of California

JAN 26 1950

At 3:20 o'clock P M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

Dear Mr. Jordan:

Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 396 (OAS)
January 18, 1950

These regulations were issued on the above date under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation (or Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Myrtle Cremins

(Signature)

Director

(Title)

1-20-56

(Date)

Sec 4 Art. XXV

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
January 18, 1950

FILED
In the Office of the Secretary of State
of the State of California

JAN 26 1950

At 3:20 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

DEPARTMENT BULLETIN NO. 396 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Submission of Copies of Form Temp. 302 Ag on OAS Sample Cases

To facilitate a preliminary statewide summary of the OAS eligibility review (Dept. Bulletin No. 382) it is necessary that an additional copy of the worksheet (Temp. 302Ag) be prepared on all OAS Permanent Sample cases and sent to the SDSW Central Office at once.

Therefore, additional worksheets are to be submitted on all cases having state case numbers ending in "22", "44", "66" and "88" (the usual OAS Permanent Sample numbers).

As indicated in Bulletin No. 382, all items on the worksheet must be completed. If any of the items do not apply to the particular recipient's situation, the word "none" shall be entered opposite that item.

Cases with the state numbers specified above shall be given top priority where further investigation is necessary to complete the worksheets.

The third copy of the worksheet for specified sample cases which can be completed without further investigation shall be transmitted directly to the Bureau of Research and Statistics, Sacramento, to reach that office not later than January 27. Worksheets on all other specified sample cases must reach Research and Statistics not later than February 6.

Accumulated worksheets on sample cases shall be forwarded each day with a transmittal memo listing the names and state case numbers of recipients whose schedules are enclosed. The transmittal accompanying the final shipment shall state that the project is complete.

The necessary supply of forms is being sent to you under separate cover.

Title 22, Ch. 2

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
January 26, 1950

ADDRESS REPLY TO:

FILED
In the Office of the Secretary of State
of the State of California

JAN 27 1950

At 11 o'clock a M.
FRANK M. JORDAN, Secretary of State
By [signature] Deputy

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 397 (OAS-SB)
January 24, 1950

These regulations were issued on the above date by the Director of the State Department of Social Welfare under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation (or Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Myrtle Tillman

(Signature)

Director

(Title)

1-26-50

(Date)

Sec 4, Art XXV

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

January 24, 1950

DEPARTMENT BULLETIN NO. 397 (OAS - SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Special Dividend Now Payable on National Service Life Insurance

This is to bring to your attention the fact that recipients of Old Age Security and Security for the Blind may be affected by payments of a special dividend from the National Service Life Insurance (commonly known as GI insurance) Fund which are now being made by the Veterans' Administration. Servicemen and veterans who held wartime insurance which was in force for ninety days or more or who now hold insurance under the National Service Life Insurance Act, the guardian of any incompetent insured veteran, and the beneficiaries of any deceased veteran, may apply for the special dividend.

Veterans may apply on forms available at post offices and office of the Veterans' Administration. Guardians of incompetent veterans should apply by letter addressed to Special Dividends Application Unit, Veterans' Administration, Washington, 25, D.C. Beneficiaries currently receiving insurance payments or who have been paid completely will receive the special dividend without application. Other beneficiaries will be furnished application forms from the Veterans' Administration without request.

The maximum amount payable is $528 and payments will be made in lump sum for the amount due. Payments will be mailed beginning 1/16/50 and will continue for a few months until the special dividends have been disbursed to all persons eligible to receive them. The day of payment or the amount cannot be determined until it has been received by the payee, who, therefore will have to be the source of information regarding the details of the payment.

Although the payment is called a special dividend it is in reality a refund of excess premium payments made because the premium rate had been set higher than subsequential actuarial experience proved necessary. This amounts to a retroactive lowering of the premium rate with a refund of the difference between the amount actually paid in premims and the corrected amount. This special dividend in no way represents an increment on the premims paid since, as the Veterans' Administration puts its, "there are no excess interest earnings".

For purposes of Old Age Security and Security for the Blind, these special dividend payments shall be considered as personal property and not as income during the month received.

Since the number of Old Age Security and Security for the Blind recipients who will receive special dividends is likely to be small, it will not be necessary to review the entire caseload to locate them. Steps should be taken to ensure due consideration of the special dividend when it is known that the recipient is eligible to receive it and appropriate inquiry relative to this dividend shall be made at the time of the annual re-investigation. The recipient should be given to understand, fully and clearly, how the special dividends affects his status as a recipient. Workers should make sure that the recipient is fully acquainted with the types and amounts of personal property he can own and remain eligible.